













A  
COMPLETE COLLECTION  
OF THE  
TREATIES AND CONVENTIONS,  
AND  
RECIPROCAL REGULATIONS  
AT PRESENT SUBSISTING BETWEEN  
GREAT BRITAIN AND FOREIGN POWERS;  
AND OF THE  
LAWS, DECREES, ORDERS IN COUNCIL, &c.,  
CONCERNING THE SAME ;  
SO FAR AS THEY RELATE TO  
COMMERCE AND NAVIGATION, THE SLAVE TRADE,  
POST-OFFICE COMMUNICATIONS,  
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AND TO THE  
PRIVILEGES AND INTERESTS OF THE SUBJECTS OF THE  
HIGH CONTRACTING PARTIES.

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COMPILED FROM AUTHENTIC DOCUMENTS,  
By EDWARD HERTSLET, Esq.,  
LIBRARIAN AND KEEPER OF THE PAPERS, FOREIGN OFFICE.

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VOL. XII.

With an Index of Subjects to the entire Series.

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## P R E F A C E.

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In publishing a Volume of "Hertslet's Treaties" for the first time in my own name, I feel called upon to offer a few remarks by way of explanation.

This Work was originally commenced by my Father, Mr. Lewis Hertslet, in the year 1820, under the special Patronage of the Secretary of State for Foreign Affairs, and it was continued by him till within a very few years of his death (on the 15th March, 1870);—the 11th volume having been published in 1864.

It was a Work in which my Father took the deepest interest, it being the only Work published which gave in a collected form all the Treaties entered into between this Country and Foreign Powers, and all Laws and Official Documents, so far as they defined the Rights and Privileges of British Subjects in every Country on the face of the Globe to which they might resort, as well as the Rights and Privileges of Foreigners in England and in the British Dominions.

The accuracy of the work—compiled from authentic Documents—as well as the labour and ability which my Father displayed in its compilation, notwithstanding the many other arduous and important duties which devolved upon him in his capacity of "Librarian and Keeper of the Papers of the Foreign Office" have been universally recognized; and the "Times," in a paragraph announcing his death, remarked that this Work and the "British and Foreign State Papers,"—another Work which he also originated, and for many years compiled for Her Majesty's Government,—“would ever remain a lasting Monument of his Intelligence and Industry.”



When he was in his 80th year, and no longer able to devote his energies to the work, he placed its continuance in my hands (I having succeeded him in the post of "Librarian and Keeper of the Papers of the Foreign Office,") and the production of the present Volume is the result of my labours.

I need scarcely say that it has been my earnest endeavour not to allow the high reputation which the Work has hitherto enjoyed for more than half a century, to suffer from any want of diligence or care on my part.

During my Father's lifetime, he often spoke to me of his great anxiety to add to the utility of the Work by publishing an INDEX OF SUBJECTS to the entire series. He had, in fact commenced such an Index some time before his death, but as he advanced in years he gradually became less capable of devoting to it that close application which it required, and the result was that he was eventually compelled most reluctantly to give up the undertaking.

I have, therefore, felt it to be my bounden duty to use my best endeavours to carry out an object which I know my Father had so much at heart; and the Index being now finished it is added to the present Volume, with an assurance on my part that I have spared no pains to make it complete, and above all things accurate.

Although called an INDEX, it is in fact an Epitome or Digest of all the Engagements by Treaty, or otherwise, entered into and now subsisting, between this Country and Foreign Powers with each separate Subject,—such as COMMERCE and NAVIGATION, COPYRIGHT, EXTRADITION, JURISDICTION, MARRIAGES, POSTAL COMMUNICATIONS, SLAVE TRADE, TRADE MARKS, &c., &c (Political Treaties alone excepted\*),—alphabetically arranged the date being placed against each Document, and a reference given to the Volume and Page in which it is to be found.

In order to place so useful and permanent a Book of Reference within the reach of the Legal Profession, the Mercantile Community, and the Public at large, I have also decided to publish the Index separately, at a small cost; and in order to

\* A special Work on this subject is in course of preparation.

make it still more useful, and to allow room for corrections and for the insertion of Notes of such changes as may be made from time to time by British or Foreign Laws affecting our relations with Foreign Powers, I have adopted the plan of printing it on one side of each page only, so as to allow space on the opposite page for such Annotations.

I would wish it, however, to be clearly understood that I am solely responsible for the accuracy of the Work, and that, although it is compiled from authentic Documents, it is purely a *Private Undertaking*, and in no sense an Official Publication.

In conclusion, I will only add that should any errors have crept into the work, notwithstanding all my vigilance and care, I shall be thankful to any one who will take the trouble to point them out to me ; and, further, that any suggestions for its improvement will always receive my respectful and grateful attention.

EDWARD HERTSLET.

FOREIGN OFFICE,

1st December, 1871.

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## AFRICA. (West Coast.)

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TREATIES of *Friendship, Commerce, Slave Trade, &c., between Great Britain and Native Chiefs and States on the West Coast of Africa.* 1817—1866.

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(1.)—TREATY with *Ashantee. Peace and Commerce. Coomassie, September 7, 1817.*

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TREATY made and entered into by Thomas Edward Bowdich, Esq., in the name of the Governor and Council at Cape Coast Castle on the Gold Coast of Africa, and on behalf of the British Government, with Saï Tootoo Quamina, King of Ashantee, and its Dependencies, and Boïtinnee Quama, King of Dwabin and its Dependencies.

[Abrogated by subsequent War.]

ART. I. There shall be perpetual peace and harmony between the British subjects in this country and the subjects of the Kings of Ashantee and Dwabin.

II. The same shall exist between the subjects of the Kings of Ashantee and Dwabin, and all nations of Africa residing under the protection of the Company's forts and settlements on the Gold Coast; and it is hereby agreed, that there are no palavers now existing, and that neither party has any claim upon the other.

III. The King of Ashantee guarantees the security of the people of Cape Coast from the hostilities threatened by the people of Elmina.

IV. In order to avert the horrors of war, it is agreed, that in any case of aggression on the part of the natives under British protection, the Kings shall complain thereof to the Governor in Chief to obtain redress, and they will in no instance resort to hostilities, even against the other towns of the Fantee territory, without endeavouring as much as possible to effect an amicable arrangement, affording the Governor the opportunity of propitiating it, as far as he may with discretion.

V. The King of Ashantee agrees to permit a British officer to reside constantly in his capital, for the purpose of instituting and preserving a regular communication with the Governor in Chief at Cape Coast Castle.

VI. The Kings of Ashantee and Dwabin pledge themselves to countenance, promote, and encourage the trade of their subjects with Cape Coast Castle and its dependencies to the extent of their power.

VII. The Governors of the respective forts shall at all times afford every protection in their power to the persons and property of the people of Ashantee and Dwabin who may resort to the water side.

VIII. The Governor in Chief reserves to himself the right of punishing any subject of Ashantee or Dwabin guilty of secondary offences; but in case of any crime of magnitude, he will send the offender to the Kings to be dealt with according to the laws of his country.

IX. The Kings agree to commit their children to the care of the Governor-in-Chief for education at Cape Coast Castle, in the full confidence of the good intentions of the British Government, and of the benefits to be derived therefrom.

X. The Kings promise to direct diligent inquiries to be made respecting the officers attached to the mission of Major John Peddie and Captain Thomas Campbell; and to influence and oblige the neighbouring kingdoms and their tributaries to befriend them as the subjects of the British Government.

Signed and sealed at Coomassie, this 7th day of September, in the year of our Lord 1817.

	(L.S.)	SAI TOOTOO QUANIMA.	their
	(L.S.)	BOITINNEE QUAMA.	marks.
	(L.S.)	THOMAS EDWARD BOWDICH.	

In the presence of:  
WILLIAM HUTCHINSON, *Resident.*  
HENRY TEDLIE, *Assistant-Surgeon.*

Their

X	APOKOO	} Deputed from the General Assembly of Caboceers and Captains to swear with the King.
X	ODUMATA	
X	NABBRA	
X	ASHANTEE	
X	KABRA SAPHOO	} Linguists to the King of Dwabin.
X	QUAMINA SAPHOO	
X	QUASHEE APANTREE,	<i>Accra Linguist.</i>
X	QUASHEE TOM	} Cape Coast Linguists.
X	QUAMINA QUATCHEE	

marks.

(2.)—TREATY *between the Acting Governor of Sierra Leone and the Chiefs of the Soombia Soosoos. Peace, Commerce, Slave Trade, and Cession. April 18, 1826.*

TREATY between His Honour Kenneth Macaulay, Acting Gover-

nor and Commander-in-chief of the colony of Sierra Leone and its dependencies, on behalf of His Britannic Majesty and the Chiefs of the Soombia Soosoos, with their allies the Tura family.

THE Tura family, to whom the throne of the Mandingo country belongs, and the Chiefs and Headmen of the Soombia Soosoos, anxious to put an end to the war which has been carried on for the last 12 years between Amurat, the present Chief of the Mandingo country and the Soombia Soosoos, and to draw closer the ties of amity and friendship which exist between them and the colony of Sierra Leone, have deputed for that purpose the Soombia Chiefs, Alimamie Dalla Mahammadoo and Sunkie Brama and the Tura family. Amurat the head thereof, and his Honour Kenneth Macaulay, Acting Governor of the colony of Sierra Leone and its dependencies, being willing on the part of His Britannic Majesty to contribute to so desirable an object, the said parties have agreed as follows :

ART. I. There shall continue to be as heretofore, friendship, amity, and free intercourse between all His Majesty's subjects and the inhabitants of the Soombia and Mandingo countries, subject to the said Chieftains and family.

II. The Soombia Chiefs and Headmen and the Tura family give and grant to the inhabitants of Sierra Leone and its dependencies, and to all other subjects of His Britannic Majesty, free liberty and permission to form factories or trading establishments in all parts of the Soombia and Mandingo countries, and guarantee that the said factories or trading establishments, with every person, and all property of whatever description belonging thereto, shall be free and exempt from all country palavers and arbitrary exactions under whatever plea the same may be made, and that all persons shall be at liberty to carry on their trade in such manner as they may think proper.

III. The Soombia Chiefs and Headmen promise and guarantee to the Acting Governor of Sierra Leone and his successors on behalf of His Britannic Majesty, that there shall be free and open roads and paths for all strangers, traders, merchants, travellers, or other to pass and repass through the said territories with their retinue, goods, wares, and merchandize, between the colony of Sierra Leone and the interior countries of Africa ; that the said persons and their property shall be protected ; that they shall be rendered every assistance in their legal pursuits ; that they shall not be called upon or made to pay any duties, customs, or sums of money, on any pretence whatever, except for such expense as they may actually incur ; and that the said Chiefs will in every instance see justice impartially administered between their subjects and the said strangers, traders, merchants, travellers, or others ; and further, that the said Chiefs will, to the utmost of their power, obtain the same



freedom of road and just treatment for the said strangers traders, merchants, travellers, or others, from all their neighbours and allies.

IV. The said Chiefs and Headmen promise and engage to abolish the Slave Trade, and not to allow any exportation of slaves from their respective countries, nor to allow any vessels craft, boats, or canoes to enter into any of their rivers, creeks, bays, or waters for the purpose of buying or selling slaves, or being in any manner engaged in the Slave Trade, nor to allow factories or other establishments to be formed in their territories by any persons whatever for the purchasing or selling of slaves.

V. For the purpose of rendering the provisions of this Treaty more effectual, the said Soombia Chiefs and Tura family give, grant, and cede over to his Honour the Acting Governor of Sierra Leone and his successors, for and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland and his successors, the full, entire, free, and unlimited sovereignty, right, title, and possession in and over all the seas, rivers, harbours, creeks, inlets, and waters of their respective territories from Conta in the south to Ferighna in the north, and in and over one mile inland from the seaboard of the same.

VI. It being necessary for the coasting trade of the country that the island of Matacong should be a neutral and free resting-place for the canoes and craft belonging to all the surrounding tribes, notwithstanding any wars which may exist among them, the Soombia Chiefs, to whom the same belongs, have requested his Honour the Acting Governor to accept the cession thereof, and have granted, ceded, and transferred over to the said Kenneth Macaulay, Acting Governor of Sierra Leone, and his successors, for and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland and his successors for ever, the free and unlimited right, title, possession, and sovereignty in and over the said island of Matacong, with all the rivers, bays, creeks, harbours, and waters thereof.

VII. The said Chiefs and Headmen further engage that, should the Governor of the colony of Sierra Leone for the time being, for and on the part of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors, require the cession of any tract or parcel of land within their respective territories, they will at all times be ready and willing to treat for the cession of the same on fair and equitable terms.

VIII. His Honour the said Kenneth Macaulay, Acting Governor of Sierra Leone, for himself and his successors, for and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors, agrees to accept the sovereignty of one mile inland from the seaboard, and of all the seas, rivers, harbours, creeks, inlets, and waters

of the Mandingo and Soombia countries from Conta in the south to Ferighna in the north, for the more effectual performance of the obligations of this Treaty, and also to accept the sovereignty and possession of the island of Matacong, and to preserve the same as a neutral and free resting-place for the craft and canoes of all the surrounding tribes whilst in amity and friendship with His Britannic Majesty.

IX. And his Honour the said Kenneth Macaulay, for himself and his successors, Governors of the said colony, on the part and behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors, further engages to prohibit all trade and intercourse between the colony of Sierra Leone and His Majesty's subjects, inhabitants of the said colony, and Moribah, Tanani, Malicourie, and Fouricaria, until the Chiefs and people of those places shall consent to enter into negotiations for a general peace and settlement of the country.

In witness whereof the said parties have hereunto set their hands and affixed their seals, this 18th day of April, in the year of the Christian era 1826.

K. MACAULAY, *Acting Governor.*

(Signed in Arabic) ALIMAMIE DALLA MAHOMODU.

„ AMURAT.

„ SANKY BRAMA.

Witnesses :

WM. MCVICAR, *Lt. 2nd W. I. Reg.*

W. LARDNER, *Ens. 2nd W. I. Reg.*, and 3 Arabic signatures.

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(3.)—CONVENTION *with Barra. Peace, Friendship, and Cession.*—June  $\frac{1}{2}$ th, 1826.

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CONVENTION between his Honour Kenneth Macaulay, Acting Governor of the Colony of Sierra Leone and its dependencies, for himself and his successors, the Governors of Sierra Leone for the time being, on behalf of His Majesty the King of Great Britain, his heirs and successors, and Brunay, King of Barra and of the River Gambia, and his Chiefs and Headmen, namely, Jally, Prince of Barra; Seney, Alcaide of Jillifree; Demba, Sormah of Yessan; Ira, King's Alcaide; Tambo Sunto and Ira Sunto, Headmen of Yessan; Naly, Sumah of Birrinding; Surey Comba, Bonkari Jenor, and Mammady, Nyara, Headmen of Birrinding; Naffa Sira, Sumah of Bankandich Suakari; Mara and Wally Nanyah, Headmen of Bankandich; and Sadi Cotor, Headmen of Albreda; Kinding Sera, Biram Coumba, Sajo Sera, Headmen of Sittonookoo; Wally for Sunkacoomba, Sama of Bonyadoo; Mamady Maryama, Alcaide of Albreda.

WHEREAS various misunderstandings and disputes have arisen between the Government of Sierra Leone and the Kings of Barra, which the above-named Contracting Parties are desirous should be settled and arranged in an amicable manner, they have for that purpose mutually agreed as follows:

1st. There shall be peace and friendship between the Governor of Sierra Leone and his successors, and the Kings of Barra and his successors, their people and subjects for ever.

2nd. The said Brunay, King of Barra, by and with the advice and consent of his Chiefs and Headmen before-named, cedes, transfers, and makes over to his Honour Kenneth Macaulay, Acting Governor of Sierra Leone, and his successors, Governors of Sierra Leone for the time being, on the part and behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors for ever, the full, entire, free, and unlimited right, title, sovereignty, and possession of the River Gambia, with all the branches, creeks, inlets, and waters of the same, as they have been held and possessed by the Kings of Barra from time immemorial; and the said Brunay, King of Barra, with the advice and consent of his said Chiefs and Headmen as aforesaid, does further cede and for ever relinquish all and every right, claim, or demand for customs or duties of any description on British or other vessels entering or navigating the River Gambia, or any of the waters thereof (as have been formerly demanded and taken), it being distinctly understood that this does not apply to French vessels trading to the factory of Albreda.

3rd. The said Brunay, King of Barra, by and with the advice and consent of the Chiefs and Headmen aforesaid, cedes, transfers, and makes over unto his Honour Kenneth Macaulay, Acting Governor of Sierra Leone, and his successors the Governors of Sierra Leone for the time being, on the part and behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors for ever, all that part of the northern or right bank of the River Gambia for one geographical mile inland, commencing at Bonyadoo Creek on the west and extending to Jokadoo Creek on the east, reserving only unto the said Brunay, King of Barra, and his successors, that portion of land at present occupied by the French at the factory of Albreda, the limits and boundary line of which are fixed and determined at the signing of this Treaty by persons duly appointed on the behalf of the Contracting Parties.

4th. His Honour Kenneth Macaulay, Acting Governor of Sierra Leone, for himself and his successors, Governors of Sierra Leone for the time being, on the part and behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors, does hereby covenant and

agree, for and in consideration of all other customs and duties hereby relinquished, to give unto Brunay, King of Barra, and his successors, the sum of 400 Spanish dollars yearly.

5th. And further, the said Brunay, King of Barra, doth covenant, promise, and engage, with the advice and consent of his Chiefs and Headmen as aforesaid, with his Honour Kenneth Macaulay, Acting Governor of Sierra Leone, and his successors the Governors of Sierra Leone for the time being, not to allow any slaves purchased in the River Gambia to be carried overland through any part of his territories and dominions or to be shipped therefrom.

In witness whereof the said Contracting Parties have hereunto fixed their hands and seals, this 15th day of June, in the year of the Christian era, 1826.

KENNETH MACAULAY, *Acting Governor.*

BRUNAY, *King of Barra.*

[Seals and Signatures of 20 Chiefs and Headmen.]

Signed in the presence of:

GEO. RENDALL. WM. BARRY. ALEX. FINDLAY.

*Additional Article, June 19, 1826.*

BE it known that we, Brunay, King of Barra, did, in presence of our Chiefs and Headmen, proceed from the town of Jillifree to the town of Albreda with his Honour Kenneth Macaulay, Acting Governor of Sierra Leone, and did then and there mark out the boundaries of ground now occupied by the French as their comptoir or factory, and which is reserved to us in the annexed Treaty, the said piece of ground extending from a large tree on the east, named Sangee Baba to and there, on the west named Santo, being 400 yards in breadth, and 300 yards in depth from the river side.

Signed at Fort Bullen, Barrashore, 19th June, 1826.

K. MACAULAY, *Acting Governor.*

BRUNAY, *King of Barra.*

[Signed by 9 Chiefs.]

Witnesses:

G. RENDALL. WM. BARRY.

*The following DEED is affixed to the preceding.*

*Port Loco or Marong, December 14, 1826.*

I HEREBY, in the name of the King of Great Britain, deliver to Fatimah Bramah, in the presence of the Headmen and inhabitants of these 8 towns, viz., Marong, Sandugo, Rabatt, Quia, Bombay, Goree, Kaykanka, and Old Bacca Loco, an exact copy of the Convention now exhibited, which was signed here, upon the 12th December, 1826, by Major-General Turner, the late Governor of Sierra Leone, and by Caremo and Santigge.



for the Barra family, and by Namina Lahai and Braminah Kayelle for the Sancong family.

I also confirm the appointment then made of Fatimah Bramah as Chief of the 8 towns of Bacca Loco, which, if necessary, I shall support by force of arms, as it is the wish of the great majority of the inhabitants so to do, in order to prevent civil war among themselves. I appoint the 22nd day of this month for the usual ceremonies by the Headmen to install Fatimah Bramah as Chief, and that my Commissioner and representative for the King of Great Britain shall be present.

Fatimah Bramah now engages to carry into execution every arrangement which may be prescribed to him by the Governor of Sierra Leone for the improvement of commerce and civilization, and immediately to allot ground for a school and residence for the Governor, that all persons from the interior and from Sierra Leone may pass with the most perfect freedom, and may reside within the territory of Bacca Loco so long as they conform to the laws of the country, and conduct themselves with becoming obedience and respect to the Chief and to the Headmen whose duty it will be at all times to keep up good order and justice.

Signed by Fatimah Bramah, in presence of the Headmen and of the other witnesses whose names are subscribed.

NEIL CAMPBELL, *Governor.*

(Signature in Arabic) FATIMAH BRAMAH.

Witnesses:

W. BARNES. JNO. M'CORMACK. W. H. SAVAGE.

(4.)—TREATY *with the King of Wooli. Alliance and Friendship.*  
*Fatatenda, May 15, 1827.*

TREATY of Alliance and Friendship between his Excellency General Sir Neil Campbell, Knight Companion of the Most Honourable Order of the Bath, Knight of the Russian Orders of St. George, St. Anne, and Vladimir, Captain-General and Governor-in-chief of the Colony of Sierra Leone and dependencies, on the west coast of Africa, between the 20th degree of north latitude, and the 20th degree of south latitude; Vice-Admiral in the colony and dependencies thereof, and in the maritime parts of the same and thereto adjoining; Chancellor and Ordinary of the same; Commander-in-chief of His Majesty's forces on the western coast of Africa, and Colonel of His Majesty's Royal African Corps, &c., on behalf of His Majesty the King of Great Britain, and Quai, King of the Wooli nation, for themselves, their heirs and successors, in presence of the Chieftains, Headmen, and other respectable men of that nation, duly and



solemnly assembled at Fatatenda, on the right bank of the River Gambia, on the Archuma, or day of rest, in the moon of the 1,200 and 41st year of the Mahomedan era, and according to Christian chronology, the 15th day of May, in the year since Jesus Christ 1827.

ART. I. His Majesty the King of Great Britain, having heard of the excellent judgment of His Majesty the King of Wooli, and his disposition to encourage peace and trade, has directed the Governor of Sierra Leone to compliment him upon his accession to the Cap, and to express to him his desire to conclude a Treaty for the benefit of their respective subjects.

II. Both parties being animated with an anxious desire to establish relations of the strictest friendship for the benefit of their subjects, will strive to prevent any of the other Chiefs from carrying on war in the vicinity of either bank of the River Gambia.

If the subjects or property of either party should be attacked or obstructed upon the river, the other party will use every exertion to obtain redress and to grant assistance. If two other parties are disposed to engage in hostilities, the two Contracting Parties before mentioned will use their utmost exertions to prevent these extremities, and if advice does not succeed, they will have recourse to stronger measures, for when two powers are engaged in warfare, the interests of the others in their vicinity must suffer by an interruption to their intercourse and trade, as is experienced at this moment by the war in the Cobb country, which has been carried on for some years past, and which at one time extended itself to the territory of the King of Wooli, and might at any time again take the same direction.

III. The King of Wooli, for himself, his Chiefs, and Headmen, engages not to allow any fellow-creature to be sold or purchased within his territory, and to persuade the other Kings and Chiefs in Africa to do the same, for while this odious practice is permitted, wars will be encouraged, and there cannot be security to cultivate the ground or to trade.

IV. King Quai engages to open the paths to Bondon, and other directions to the east and south of Wooli, so that the traders may come freely to Fatatenda with their gold, ivory, wax, and other productions.

The Contracting Parties have hereunto set their hands and seals before witnesses, on the day before mentioned, binding themselves, their heirs and successors, to the due performance thereof.

N. CAMPBELL, *Governor.*

Their

✕ KING QUAI.

✕ FORTINBERANG.

marks.

Their

✕ MADUBA.

✕ MONTAMBARJATAR.

marks.

Witnesses to marks: AL. M. L. FRASER.

C. R. BURROWS, *Acting Milty. Sec.* JOHN RILEY.

(5.)—TREATY *with the King of Brekama. Protection, Slave Trade, Commerce and Cession. Brekama, May 29, 1827.*

THE Headmen and other inhabitants of the town and territory of Brekama, having elected Farrin Tomba Comba their King to rule over them according to their own usages, the said King, Headmen, and inhabitants knowing their inability to carry this measure into execution (from their want of money and numbers in comparison to their extent of territory), hereby solicit His Majesty the King of Great Britain to take them under his protection and sovereignty, which application being made to his Excellency Major-General Sir Neil Campbell, C.B., &c., Governor-in-chief of all the British possessions on the western coast of Africa, Commander of the Forces, &c., by King Farrin Tomba Comba, his son Jenó, and the Headman Tomba Salang, accompanied by the Moros Berangdarbo and Carsansessay, both of Kayaye.

His Excellency, in behalf of His Majesty the King of Great Britain, his heirs and successors, engages to take the people of Brekama under the protection and sovereignty of Great Britain on the following conditions:

ART. I In case the people of Brekama are attacked by any other native power, the King of Great Britain will assist them with supplies of arms and ammunition, or such other support as may be judged best by the British Commandant at the Gambia.

II. They engage not to allow any slaves to be purchased or sold within their territory, nor to employ themselves or their people in this trade.

III. They engage to give every facility to British commerce, that no interruption will be given to British subjects or their agents in any part of Brekama, and that no duties will be levied upon them, their agents, or their property.

IV. They engage not to enter into any war without previous consultation with and consent of the British Commandant.

V. The King of Great Britain engages not to disturb any inhabitant of Brekama, either now or hereafter, in the actual possession of his lands, houses, or other property, in his religion, nor in the domestic servitude now usual in Brekama.

VI. The people of Brekama engage that when the Chief dies, and a new election takes place, the Headmen will notify the death and the election to the Commandant of the Gambia, and the object of their choice (elected by the majority according to the usual forms) will be confirmed by the representatives of His Majesty the King of Great Britain before he can be finally invested in the cap or turban.

VII. They engage to give possession to the King of Great Britain of a secure spot, to be chosen by the British Commandant, for a military post opposite to the Island of Kayaye,

and close to the river, with as much territory adjoining as the artillery can reach from this port or any other place. On this spot the people of Brekama will build towns and make farms according to the regulations of the British Commandant, and it will serve to lodge the troops and stores for their protection in case of war.

VIII. The King of Great Britain will in future pay the people of Brekama one piece of blue baft for the Chief, one piece of blue baft for the Headmen, and two pieces of blue baft for the people annually on the 29th May.

This Treaty has been subscribed on board the "African" steam vessel of Brekama, on the 29th day of May, in the year of our Lord, 1827, by his Excellency Major-General Sir Neil Campbell, as representative of His Majesty the King of Great Britain, and for the people of Brekama by the King Farrin Tomba Comba, at the same time by his son.

N. CAMPBELL, *Governor-in-Chief.*

His

✕ JENO, and 4 Chiefs.

mark.

Witnesses to marks: AL. M. L. FRASER, *Capt. and Commt.*

C. M. BURROWS, *Actg. Mily. Secty.* JOHN RILEY.

(6.)—TREATY with the King of Combo. *Slave Trade, Cession of Island of St. Mary's or Banjola. Bathurst, June 4, 1827.*

TREATY between his Excellency Major-General Sir Neil Campbell, C.B., &c., Governor-in-Chief of Her Majesty's possessions on the Western Coast of Africa, &c., on behalf of His Majesty the King of Great Britain, and Toomany, King of Combo, for themselves, their heirs and successors.

THE Treaty in which the Island of St. Mary's was formerly given up to the British Government not being forthcoming, it is hereby agreed:

I. To prohibit and abolish the purchase and sale of slaves.

II. That the Island of St. Mary's, the Cape, and the boundary bordering on other States to the southward and eastward of Coomba shall be open for every branch of commerce between the subjects of His Majesty the King of Great Britain and the natives of Combo or any other kingdoms.

III. That the Island of Banjola, now called St. Mary's, and the adjoining territory, may be possessed by the Government and subjects of Great Britain for building and making farms in such places as are not actually possessed by any other person at the time, arranging the boundaries with the Alcaide of Baccow.

IV. That the King of Combo for the time shall receive 113 bars yearly for the possession hereby ceded to His Majesty the King of Great Britain; one-half to be paid every 6 months, upon the 30th day of June and the 31st day of December; to be paid

in dollars, amounting to 50 each payment, or 100 dollars per year. This Treaty is hereby confirmed by the Undersigned at Bathurst, this 4th day of June, 1827.

N. CAMPBELL, *Governor.*

TOOMANY, *King of Combo.*

MARMADY MARUN, *Alcaide of Baccow, and*

AMADY, *son of the Alcaide of Baccow.*

Witnesses :

AL. M. L. FRASER, *Capt. and Commdt.*

C. M. BURROWS, *Actg. Mily. Secty.*

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(7.)—TREATY *with the King of Bulola. Slave Trade and British Establishments. Lawrence Town, June 23, 1827.*

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TREATY between his Excellency Major-General Sir Neil Campbell, Governor-in-chief over the British possessions in western Africa, on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, and his heirs and successors, and Agai, King of Bulola, for himself, his heirs and successors, in concert with his Chiefs and Headmen, for themselves, their heirs and successors.

ART. I. No native or other person within the territory of Bulola is to be deprived of any ground which is in cultivation and actually occupied.

II. The-relations which now exist between different classes of the community are to continue, but no slave or domestic servant is to be sold for exportation beyond the frontier of Bulola.

III. All British subjects may form factories or other establishments in any place not actually occupied, or, if occupied, paying for the same; their property of every description and themselves shall be free from every exaction, palaver, or obstruction, and all communications opened to and from Bulola and other countries.

IV. The King of Great Britain and Ireland, his heirs and successors, have for ever right to establish villages, forts, to cultivate farms, and every other establishments, public or private, which the Governor of Sierra Leone or any other competent British authority within the territory of Bulola may deem fit, according to the other Articles in this Treaty subscribed on board of the "African" off Lawrence Town, this 23rd day of June, 1827, by the King's brother Agai, and Solimany, Headman of Lawrence Town, in behalf of the King of Bulola, being duly authorized by the latter.

N. CAMPBELL, *Governor.*

Witnesses to marks:

SEPTIMUS ARABIN, *Capt. R.N.*

C. M. BURROWS, *Actg. Military Secretary.*

Their

✕ SOLIMANY.

✕ AGAI.

marks.



(8.)—TREATY *with Ashantee and Fantee Chiefs. Peace and Commerce. Cape Coast Castle, April 27, 1831.*

WE, the Undersigned, namely:—The Governor of Cape Coast Castle and British Settlements, on the part of His Majesty the King of England; the Princess "Akianvah," and the Chief "Quagua," on the part of the King of Ashantee, "Aggery," King of Cape Coast, "Adookoo," King of Fantee, "Amonoo," King of Annamaboe, "Chibboe," King of Dinkara, "Ossoo Okoo," King of Tufel, "Animinee," King of Wassaw, "Chibboo," King of Assin, the Chiefs of "Adjumacon" and "Essacoomah," and the other Chiefs in alliance with the King of Great Britain, whose names are hereunto appended, do consent to, and hereby ratify the following Treaty of Peace and of Free Commerce between ourselves and such other Chiefs as may hereafter adhere to it.

ART. I. The King of Ashantee having deposited in Cape Coast Castle, in the presence of the above-mentioned parties, the sum of 600 ounces of gold, and having delivered into the hands of the Governor two young men of the royal family of Ashantee, named "Ossor Ansah," and "Ossoo In Quantamissah," as security that he will keep peace with the said parties in all time coming, peace is hereby declared betwixt the said King of Ashantee and all and each of the parties aforesaid, to continue in all time coming. The above securities shall remain in Cape Coast Castle for the space of 6 years from this date.

II. In order to prevent all quarrels in future which might lead to the infraction of this Treaty of Peace, we, the parties aforesaid, have agreed to the following rules and regulations for the better protection of lawful commerce:—

The paths shall be perfectly open, and free to all persons engaged in lawful traffic; and persons molesting them in any way whatever, or forcing them to purchase at any particular market, or influencing them by any unfair means whatever, shall be declared guilty of infringing this Treaty, and be liable to the severest punishment.

Panyarring, denouncing, and swearing on or by any person or thing whatever, are hereby strictly forbidden, and all persons infringing this rule shall be rigorously punished; and no master or Chief shall be answerable for the crimes of his servants, unless done by his orders or consent, or when under his control.

As the King of Ashantee has renounced all right or title to any tribute or homage from the Kings of Dinkara, Assin, and others formerly his subjects, so, on the other hand, these parties are strictly prohibited from insulting, by improper speaking, or in any other way, their former master, such conduct being calculated to produce quarrels and wars.



All "palavers" are to be decided in the manner mentioned in the terms and conditions of peace already agreed to by the parties to this Treaty.

Signed in the Great Hall of Cape Coast Castle, this 27th day of April, 1831, by the parties to this Treaty, and sealed with the great seal of the colony in their presence.

Their	(L.S.)	GEORGE MACLEAN, <i>Governor.</i>
X		AKIANVAH, <i>Princess of Ashantee.</i>
X		QUAGUA, <i>Chief of Ashantee.</i>
X		AGGERY, <i>King of Cape Coast.</i>
X		ADOOKOO, <i>King of Fantee.</i>
X		AMONOO, <i>King of Annamaboe.</i>
X		ABOOKOO, <i>Chief of Acomfee.</i>
X		OTTOO, <i>Chief of Abrah.</i>
X		CHIBBOO, <i>King of Assin.</i>
X		CUDJOE CHIBBOO, <i>King of Dinkara.</i>
X		GEBEL, <i>Assin Chief.</i>
X		OSSOO OKOO, <i>King of Tufel.</i>
X		APOLLONIA, <i>Chiefs.</i>
X		AKINNIE, <i>Chief of Agah.</i>
marks.		

(9.)—TREATY *with the Princes and Chieftains of the Timmanee. Peace, Amity, Commerce, Free Intercourse, and Extradition. Marabala, September 23, 1831.\**

HIS Excellency Alexander Findlay, Colonel in the British army, Lieutenant-Governor, Vice-Admiral, and Ordinary for His Majesty the King of Great Britain, in and over the colony of Sierra Leone and its dependencies, being most anxious to fulfil the intentions of the British Empire in founding the said colony, by promoting the civilization and improvement of the Timmanee people, secure the internal and external tranquillity of their country, and establish on a firm and sure basis the several commercial relations now existing between the said colony and the Princes, Chieftains, and Headmen of the Timmanee nation; and in furtherance of these great objects having deputed the Honourable Henry Rishton, Colonial Secretary for the said colony, the Honourable John M'Cormack, and the Honourable Benjamin Campbell, respectively members of His said Majesty's Council for the said colony, together with Henry William Macaulay and William Henry Savage, Esquires, Commissioners on behalf of his Excellency, to enter into Convention, and to conclude a Treaty of Amity and Commerce between the said colony and the several Princes, Chieftains, and Headmen of the said nation:

And Bey Cobolo, Prince and Chieftain of the Marampa country, including Marbala; Fatima Bramah, the Alikarlie of the Port Logo country; Bey Fonti, Prince and Chieftain of

\* Annulled by Convention of 1836, p. 21.

Menda; and Alimarmie Cabba, Chief of the district of the town of Rokelle, a dependency of Ma Simera, fully conscious of the good and friendly intentions of His Excellency the said Governor, and feeling convinced that it is the true interest of themselves and their respective subjects to cultivate, by all possible means, the most friendly understanding between their respective countries and the said colony; and also, animated with the desire of giving peace, and securing the same blessing throughout their several districts, under the protection and influence of the said colony, being assembled at Marbala aforesaid, in concert with the aforesaid Commissioners on behalf of his Excellency the said Governor, and with them having maturely and deliberately considered on the means most likely to effect these general objects, have agreed and do agree, and under convention do stipulate as follows:

ART. I. There shall be perpetual peace, amity, and free intercourse between the said colony and its inhabitants, and the said Princes, Chieftains, and Headmen, and their successors, and the inhabitants of the several districts hereinbefore set forth.

II. No foreign wars shall be entered into by the said Princes, Chieftains, and Headmen, or their successors, or any of them, without first making the Governor of the colony for the time being acquainted with the matter in dispute, and thus affording him the opportunity of employing his mediation, which, it is understood, he shall always most strenuously exert.

III. In the event of the countries under the government of any one of the Princes, Chieftains, and Headmen included in this Convention, or their successors, being attacked by any Prince or Chieftain not a party hereto, his Excellency Alexander Findlay, Lieutenant-Governor of the said colony, for himself and his successors administering the said government, engages to aid in expelling the invaders by furnishing such arms and munitions of war as may be deemed expedient: provided always, that at the end of such invasion or war the articles so furnished, which have not been consumed, shall be returned in such manner and at such time and place as the Governor of the said colony for the time being shall appoint.

IV. The several Princes, Chieftains, and Headmen, parties to this Convention, solemnly agree and undertake not to commence hostilities one against the other, under any pretence whatsoever.

V. And that if any of the said Princes, Chieftains, or Headmen, parties to this Convention, or their respective subjects, shall be aggrieved by any other Prince, Chieftain, or Headman, a party to this Convention, and shall be unable to obtain such satisfaction as the nature of the case may require, the other Princes, Chieftains, and Headmen, parties thereto, engage to assist, by every means in their power, to procure an amicable settlement of the said difference; and if they fail in their joint

efforts to adjust the same, then the Governor of the said colony for the time being, when informed thereof, shall proceed to hear the several parties in difference, in conjunction with the several Princes, Chieftains, and Headmen not being parties to the said difference; and further engages, together with those Princes, Chieftains, and Headmen acting in concert with him in this behalf, to compel, even by force of arms if necessary, the fulfilment of whatever may be decided upon and claimed from the party found to have committed the aggression complained of.

VI. It is further agreed between the Contracting Parties, that in the event of any war or attack being made on the said colony, on the Governor of the same for the time being requiring assistance from the Princes, Chieftains, and Headmen, parties to this Convention, they will respectively, according to the extent of their several districts, furnish such a number of able-bodied men for military service in the said colony as the said Governor may require, and who shall, in that case, be fed and paid as the militia of the said colony, and when the danger which had threatened the said colony shall have passed, shall be sent back to their country at the expense of the said colony.

VII. The Contracting Parties being desirous to remove every cause of misunderstanding which may exist between them respectively, stipulate and agree for themselves and their successors, that they, the Princes, Chieftains, and Headmen, and their successors, will give up to the Governor of Sierra Leone for the time being, or such person as he may appoint for that purpose, every liberated African who may be brought into their respective territories, either by having been enticed away, kidnapped, purchased, or held for any debt or pretended claim; and that no satisfaction shall be required or made to any person before such surrender for any purchase-money which may be alleged to have been paid, promised, or advanced on account of such liberated African.

VIII. And that if any person or persons belonging to the said colony should commit any crime therein, and abscond from justice, or being indebted within the said colony, to avoid payment thereof, remove or take up his or their residence within any of the districts under the government of any of the said Princes, Chieftains, or Headmen, then, on a demand being made by the Governor of the said colony for the time being, for the surrender of such person or persons, he or they shall be surrendered accordingly.

IX. And that in all cases where persons who may be considered as domestics by the Timmanee nation, and who may be proved to have formed part of the family of any person living within the districts of the said Contracting Princes, Chieftains, and Headmen, shall run away, and, without leave from their masters resort to Sierra Leone, or to any factories belonging



thereto, and refuse to return upon the application of their said masters, the said persons shall be compelled to leave the said colony or the factories thereof, and be sent into the districts in which their masters may reside, being the districts aforesaid.

X. And that all offences committed or done in the Timmanee country (not ceded to the Crown of Great Britain), and being under the government of the Princes, Chieftains, and Headmen, parties to this Convention, by any subject of the colony of Sierra Leone, may be treated and dealt with according to the laws of the said country: provided always the punishment shall never extend to death, deprivation of limb, or loss of liberty, without the consent of the Governor of the said colony for the time being.

XI. The parties to this Convention, animated with the desire to protect those people of the Loco nation who have surrendered to the Timmanees under Alikarlie in the late war, mutually agree that they, being in possession of the towns or villages called Rocamp, Romaryinta, Rotongbi, Robarie, Robonko, Ropollong, Robantee, Ropongar, Roma Banna, and Ro Simbehar, under Suracatte, their Headman, shall occupy the district in which the same are situated, called Ro Bargar, as free persons, with full right to farm, build, and live in the same, and to pass and repass with their produce to Marbala, or any other place, and in all respects shall be entitled to every privilege now enjoyed by a free Timmanee within the said territories.

XII. And whereas the town of Marbala is a great mart of trade with the subjects of the said Princes, Chieftains, and Headmen, and the inhabitants of the said colony, and others resorting thereto, and it being highly necessary that the Headman of the said town should be one of known respectability and character, it is therefore mutually agreed, that Pa Subar, the present Headman of the said town, shall be considered under the special protection of the said Contracting Princes, Chieftains, and Headmen, his Excellency the Governor, and every future Governor of the said colony; and that in the event of the removal by death or otherwise of the present Chief or any future Chief before another is appointed to fill the said office, the name of his intended successor shall be made known to the Governor of the said colony for the time being, and his consent obtained, which it is hereby understood he will always grant, unless it shall appear that the person had heretofore shown himself hostile to the interests of the said colony and its commerce, in which case another shall be named and appointed, until the objection or objections made shall be found no longer to exist.

XIII. And whereas the object of his Excellency the Lieutenant-Governor of Sierra Leone is to extend the commerce and commercial influence of the said colony, in which object the

Princes, Chieftains, and Headmen, parties to the Convention are desirous to co-operate, they do therefore stipulate and agree that all Foulah, Sangarra, Koranko, Mahomedan, and other strangers shall be considered under the special protection of the several Contracting Parties, and that they shall have free and secure passage through their several countries towards the said colony and in returning therefrom, and that their property shall be respected, and not be detained by reason of any disputes which may exist in any district through which they may pass; and that persons molesting or injuring them in their persons or property shall be punished according to the laws of the country where such offence may be committed; more especially, that they shall not be compelled to pay any custom or present for such passage or protection.

XIV. It is mutually agreed between the Contracting Parties, that in the event of any dispute arising between any of the said Princes, Chieftains, and Headmen, their successors or their subjects, no stoppage shall be put to the passage of canoes, with or without cargo, up or down the rivers Rokelle or Port Logo, and proceeding to or from the said colony, or factories belonging thereto; and that no purrah or other mode shall be put up or adopted by any Prince or Chieftain, or by any person whatsoever, whereby the trade in which the said colony is interested may be injured, delayed, suspended, or destroyed; and that if the person offending or suspected belongs to the said colony, complaint shall be duly made to the Governor of the said colony for the time being, who will redress the same, and see justice done to the party aggrieved.

XV. And that if any person or persons, of whatever rank, subjects of the said Contracting Princes, Chieftains, or Headmen, should impede, obstruct, or in any manner offend against this Article, then, upon due proof being made thereof to the Prince, Chieftain, or Headman of the district in which he or they may reside, he or they shall be compelled to make such reparation and satisfaction as the nature of the offence and injury may seem to require; and if unable to do so, shall be compelled to remove from the vicinity of the place where the said offence or injury was committed.

XVI. And that no property of any kind belonging to any subject of the said colony of Sierra Leone, landed or deposited in any town, village, or place within the districts aforesaid, shall be seized or detained on any account whatsoever, unless the party is justly proved before the Headman of the said town, village, or place, to be indebted within the said country, and then no longer than the debt shall remain unsatisfied; and such debt having been satisfied, that no purrah or country law shall have the effect of preventing the removal of the property aforesaid to the said colony, or to any factory established by the



inhabitants thereof; and further, that if any blood shall be shed in any town, village, or factory within the districts aforesaid by any person or persons whatsoever, the goods and property belonging to the people of Sierra Leone shall in no case be seized, taken, or removed without their consent, but the palaver for the same shall proceed without any such seizure.


XVII. And whereas his Excellency Alexander Findlay, bearing in mind the trouble and expense that are occasioned to the various Princes, Chieftains, and Headmen, parties to this Convention, in keeping open the paths for the passage of strangers resorting to the colony of Sierra Leone with their property, and being convinced of the willingness of the said Princes, Chieftains, and Headmen to do all in their power to forward the wishes of the Government of the said colony in granting such strangers protection, without exacting what has been considered due from such persons; and more especially intending to encourage such sentiments on the part of the Princes, Chieftains, and Headmen, and their successors, and in proof of the lasting goodwill and favour of the said Government, for himself as Lieutenant-Governor as aforesaid, and for his successors in the said office for ever, doth stipulate, undertake, and agree, in the month of June of each year, at Freetown in the said colony, or at such other place as the Governor for the time being may please to name, to present and give unto the Prince or Chieftain of Marampa 100 bars, unto the Prince or Chieftain of Menda 100 bars, unto the Alikarlie of Port Logo 150 bars, unto the Alimarmie of Rokelle 100 bars, unto Pa Subar and his successors, as Chieftains of Marbala 100 bars, and to the Alikarlie of Port Logo, for and on the behalf of the Chieftain of the Bum-ballee country, 50 bars, as specified on the schedule at the foot this Treaty.

XVIII. And in order to place the several inhabitants of the colony of Sierra Leone and inhabitants of the rivers Port Logo and Rokelle on the most amicable footing in their several trading relations, it is more particularly stipulated between his Excellency the Lieutenant-Governor, Alikarlie, and Alimarmie Cabba, that in consideration of the annual custom or presents hereinafter set forth, they, the said Chieftains, will permit from henceforth any person or persons belonging to the said colony to form a factory or establishment for trade in any part of the several districts before mentioned that may be agreed upon, without any let or molestation of any kind; and that they shall not claim from such persons any rent or annual custom for any purpose whatsoever, but that the said annual custom or present to the said Chieftains, that is to say, to Alikarlie 300 bars, and to Alimarmie 200 bars, which it is hereby stipulated shall be delivered to the said Chieftains annually by the Governor of the said colony, in the month of June in each year, shall be and

remain in lieu thereof to them and their successors for ever; and that the rents now due by the owners of the present factories, being paid up for the present year, shall be considered, to all intents and purposes, as being included in the above arrangement, and fully exonerated from all future rent and service, it being hereby fully understood and agreed that his Excellency the Governor of the said colony for the time being shall have full right and authority to ask, demand, and receive from the several persons belonging to the said colony, now holding timber and other factories within any of the territories of the said Chieftains, the amount from year to year which they have severally stipulated to pay for the occupation of the site thereof, or such part or sum in composition as he may think fit; and further, to fix and require such sum in annual rent or otherwise in consideration of any future leave to the inhabitants of the said colony to occupy any site within the said territories; and that any person or persons who may hereafter establish a factory within the said districts shall produce to the Chieftain of such district a certificate or letter from the Governor of the said colony that he or they has liberty so to do.

XIX. And lastly, it is mutually agreed by the several Contracting Parties, that in the event of any misunderstanding arising relative to the meaning of any clause in the present Treaty, a person shall be named on the part of the Governor of the said colony for the time being to meet a person appointed by the said Princes, Chieftains, and Headmen, who shall be respectively empowered to arrange the same, and to remove any doubt that may exist as to the true intent and meaning thereof.

And thereupon the said Princes, Chieftains, and Headmen, and the said Commissioners on behalf of his Excellency Lieutenant-Governor Alexander Findlay, at Marbala, in the Marampa country, on the 23rd day of September, in the year of Jesus Christ 1831, and in the second year of the reign of His Majesty King William IV., have respectively to this Convention set their mark, signature, and seals in the presence of the several witnesses, who have also subscribed their names, and in the general assembly of the inhabitants now assembled.

His  
 BEY COBOLO, and 3 others.  
 mark.

HENRY RISHTON, *Col. Sec. M.C.*, and 4 others.

Witnesses: CONTA TA MOODO, and 3 others.

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SCHEDULE for 100 Bars.—1 quarter barrel gunpowder, 15; 3 muskets, 27; 3 pieces of blue baft (India), 27; 3 gallons of rum in a jar, 4; 1 piece of silk taffety, 12; 30 lbs. of tobacco, 15. Total, 100 bars.

This doubled in quantity for 200 bars, and added in pro-

portion for the 300 bars; and half of the schedule here given for 100 bars for the 50 bars reserved within.

JOHN M'CORMACK, M.C.

(10.)—CONVENTION *with the Kings and Chiefs of the Timmanee Nation. Peace, Friendship, Free Intercourse, and Extradition. Mabelly, April 16, 1836.*

CONVENTION between his Excellency Henry Dundas Campbell, Lieutenant-Governor of His Majesty's Colony of Sierra Leone and its Dependencies, and Bey Cobolo, King of the Marampa country; Bey Simmerah, King of the Simmerah country; Bey Fonti, King of Mendi; Ali Karlie, Chief of Port Locco; Lanselly, the Chief of Bumbelly; Pa Suba, Chief of Mabelly; Alimarnie Cabba, Chief of Rokelle; Tom Bendo, Chief of Rokon; Mahomadu Bundu, Chief of Furadugu and Mahara; Alikarlie Sa Maura, Chief of Sanda; Bokoro Surie, Chief of Tambacca; Bey Camma, Chief of Koolifa; Massa Packey, King of Mallaly; Bey Woosee, King of Limba; and Cessi Betty, Chief of Myappa.

WHEREAS a Convention was concluded on the 23rd day of September, 1831,\* between Colonel Findlay, the Lieutenant-Governor of Sierra Leone, and the aforesaid Bey Cobolo, King of Marampa; Bey Fonti, King of Mendi; Ali Karlie, Chief of the Port Locco districts; Pa Suba, Chief of Mabelly; and Alimarnie Cabba, Chief of Rokelle, having for its object the welfare of the commerce of countries over which those Kings and Chiefs rule, and the security of the persons and property of the persons employed in such commerce:

And whereas some of the provisions of the said Convention have been found not to be now required, the said Contracting Parties have agreed with the said Lieutenant-Governor Campbell to annul the same, which is hereby annulled accordingly, and to conclude with the said Lieutenant-Governor Campbell a new Convention, which shall more fully embrace the objects which the aforesaid Contracting Parties consider best calculated to secure a free and uninterrupted intercourse between their respective districts and the colony of Sierra Leone, and have therefore agreed upon and resolved as follows:—

ART. I. There shall be peace, amity, and free intercourse between the inhabitants of the colony of Sierra Leone and the inhabitants of the several countries and districts hereinbefore set forth.

II. No wars shall be entered into between the said Kings, Chiefs, and Headmen, or their successors, or with any other Kings, Chiefs, Headmen, or State, without first making the



Lieutenant-Governor of Sierra Leone acquainted with the matter in dispute, and obtaining his sanction thereto.

III. Should any of the Kings, Chiefs, or Headmen included in this Convention, or their successors, be attacked by any Kings, Chiefs, Headmen, or State, the Lieutenant-Governor of the said colony, for himself and successors to the said Government, engages to aid them by furnishing such arms and munitions of war as he may deem expedient: provided always, that at the end of such war the arms and articles so furnished, and not actually consumed, shall be returned at such time and place as the Governor of the said colony may direct.

IV. And if any Kings, Chiefs, or Headmen, parties to this Convention, or their subjects, shall be aggrieved by any other Kings, Chiefs, or Headmen, also parties to this Convention, and shall be unable to obtain satisfaction, the Kings, Chiefs, and Headmen parties thereto, engage by every means in their power to procure an amicable settlement of the matter in dispute. And if they fail to adjust the same, they, or any of them, shall acquaint the said Lieutenant-Governor of the same, who shall proceed to hear and investigate the said difference, in conjunction with such Kings, Chiefs, and Headmen, not being parties thereto, as he may deem advisable to call to his assistance.

V. And the said Kings, Chiefs, and Headmen further engage to compel, even by force of arms, if necessary, the fulfilment of whatever may be decided upon.

VI. The said Kings, Chiefs, and Headmen also agree that in the event of any war or attack being made on the said colony or its dependencies, on the Lieutenant-Governor for the same applying to all or any of the said parties to this Convention for aid, they shall each furnish such a number of able-bodied men for military service as the said Lieutenant-Governor may require, who shall be fed and paid at the rate of 2*d.* per day during the time they are so employed, the Kings, Chiefs, and Headmen to receive such further compensation as their services may entitle them to, and shall, when no longer required, be returned to their respective countries at the expense of the said colony.

VII. The Contracting Parties being desirous to remove every possible cause of misunderstanding, respectively stipulate and agree, that they, the Kings, Chiefs, and Headmen, and their successors, will give up to the Lieutenant-Governor of Sierra Leone for the time being, or such person as he may appoint for that purpose, every liberated African or other person belonging to the said colony who may be brought into their respective territories either by having been enticed away, kidnapped, purchased, or held for any debt or pretended claim, and that no satisfaction shall be required or made to any person before such liberated African or other person belonging to the said colony is surrendered as aforesaid.

VIII. And that if any person or persons belonging to the said colony should commit any crime therein and abscond from justice, or being indebted within the said colony, to avoid payment thereof remove or take up his or their residence within any of the districts of the said Kings, Chiefs, and Headmen, then on a demand being made by the Lieutenant-Governor of the said colony for the time being for the surrender of such person or persons, he or they shall be given up accordingly.

IX. And that in all cases where persons who may be considered as domestics according to the country law, and who may be proved to have formed part of the family of any person living within the districts of the said contracting Kings, Chiefs, and Headmen, shall, without leave from their masters, resort to Sierra Leone, or to any factories belonging thereto, and refuse to return to their said masters, the said persons shall, on demand being made to the Lieutenant-Governor, be given up to their masters, or such persons as they may appoint to receive them.

X. And that all offences committed or done in the aforesaid countries (not ceded to the Crown of Great Britain), and being under the government of the Kings, Chiefs, and Headmen, parties to this Convention, by any subject of the colony of Sierra Leone, may be treated and dealt with according to the laws of the said country; provided always, the punishment shall never extend to death, deprivation of limb, or loss of liberty, without the consent of the Lieutenant-Governor or officer administering the Government for the time being.

XI. The parties to this Convention being desirous to protect those people of the Locco nation who have surrendered to the Timmanees under Ali Karlie in the late war, mutually agree that they being in possession of the towns or villages called Rocamp, Romarginta, Rotongbo, Robani, Robonko, Ropollong, Robantee, Ropongar, Roma Banna, and Ro Simbehar, under Suracattee their Headman, shall occupy the districts in which the same are situated, called Ro Bargas, as free persons, with full right to farm, build, and live in the same, and be entitled to every privilege now enjoyed by a free Timmanee.

XII. And whereas the town of Mabelly is a great market for trade with the subjects of the said Kings, Chiefs, and Headmen, and the inhabitants of the said colony of Sierra Leone; and it being highly necessary that the Headman of the said town should be one of known respectability and character, it is therefore mutually agreed that Pa Suba, the present Headman of the said town, shall be considered under the special protection of the said contracting Kings, Chiefs, and Headmen, the Lieutenant-Governor, and his successors; and that in the event of the removal by death or otherwise of the present Chief, or any future Chief, before another is appointed to fill the said office, the name of his intended successor shall be made known to the Lieuten-



ant-Governor, or officer administering the government of the said colony, and his consent obtained, which it is hereby understood he will always grant, unless it shall appear that the person had heretofore shown himself hostile to the interest of the said colony, in which case another shall be named and appointed.

XIII. And whereas the object of the Lieutenant-Governor of Sierra Leone is to extend the commerce and commercial influence of the said colony, in which object the Kings, Chiefs, and Headmen, parties to this Convention, are desirous to co-operate; they do therefore stipulate and agree that all Foulahs, Sangarra, Koranko, Mahomedan, and other strangers shall be considered under the special protection of the several Contracting Parties, and that they shall have free and secure passage through their several countries, from and towards the said colony, and that their property shall be respected and not be detained by reason of any dispute which may exist in any district through which they may pass; and that persons molesting or injuring them in their persons or property shall be punished according to the laws of the country where such offence may be committed.

XIV. It is mutually agreed upon between the Contracting Parties that in the event of any dispute arising between any of the said Kings, Chiefs, and Headmen, their successors or their subjects, no stoppage shall be put to the passage of boats or canoes, with or without cargo, up or down the rivers Port Locco or Rokelle, or any other within their jurisdiction; and that no purrah or other mode shall be adopted by any Kings, Chiefs, Headmen, or by any person whatsoever, whereby the trade of the said colony may be injured; and that if any person or persons so offending or suspected of offending should belong to the said colony, complaint should be duly made to the Lieutenant-Governor, or officer administering the government of the same, who shall see justice done to the aggrieved party.

XV. And that if any person or persons of whatever rank, subjects of the said contracting Kings, Chiefs, or Headmen, should impede, obstruct, or in any way offend against any of the preceding Articles, then upon due proof being made thereof to the Kings, Chiefs, or Headmen of the district in which he or they may reside, he or they shall be compelled to make such reparation and satisfaction as the nature of the offence or injury may require; and if unable to do so, shall be compelled to remove from the place where the said offence or injury was committed.

XVI. And that no property of any kind belonging to any subject of the said colony of Sierra Leone, landed or deposited in any town, village, or place within the districts aforesaid, shall be seized or detained on any account whatsoever, unless the party is justly proved before the Headman of the said town, village, or place to be indebted within the said country, and then

no longer than the debt shall remain unpaid; and that no purrah or country law shall have the effect of preventing the removal of the property aforesaid to the said colony, or to any factory established by the inhabitants thereof; and further, that if any blood shall be spilt in any town, village, or factory, within the districts aforesaid by any person or persons whatsoever, the goods and property of the people of Sierra Leone shall in no case be seized, taken, or removed without their consent, but the palaver for the same shall proceed without any such seizure.

XVII. And whereas the Lieutenant-Governor, bearing in mind the trouble and expense that are occasioned to the various Kings, Chiefs, and Headmen, parties to this Convention, in keeping open the paths and rivers for the passage of all persons going to and from the colony of Sierra Leone with their property, and being convinced that the said Kings, Chiefs, and Headmen will do all in their power to forward the wishes of the Government of the said colony by granting such strangers protection and preventing anything being exacted from them, and wishing to encourage such sentiments on the part of the Kings, Chiefs, and Headmen, and their successors, the said Lieutenant-Governor, for himself and his successors, doth stipulate, undertake, and agree (so long as the said Kings, Chiefs, and Headmen shall strictly comply with the conditions of this Treaty), in the month of June of each year, at Freetown in the said colony, to give unto the Kings, Chiefs, and Headmen named in Schedule A, or to such persons as they may appoint to receive the same, the sums therein specified.

XVIII. And in order to afford the merchants or others holding factories the utmost protection, and to place the several inhabitants of the colony of Sierra Leone, and the subjects of the Kings, Chiefs, and Headmen, parties to this Treaty, on the most amicable footing in their several trading relations, it is more particularly stipulated between the Lieutenant-Governor aforesaid, and the Kings, Chiefs, and Headmen, parties to this Convention, that in consideration of the annual custom or present, hereinafter set forth in Schedule A, annexed to this Treaty, they, the said Kings, Chiefs, and Headmen, will permit from henceforth any person or persons who shall produce to them a certificate from the said Lieutenant-Governor authorizing them to do so, to form a factory or establishment for trade in any part of the several districts before mentioned, without any let or molestation of any kind; and that they shall not claim from such person or persons any rent, customs, or present whatsoever; but that the annual rent, customs, or presents hereby stipulated to be paid to the said Kings, Chiefs, or Headmen by the Lieutenant-Governor of the said colony in the month of June in each year shall be and remain in lieu of such rent, custom or present, to them and their successors for ever, the said

Kings, Chiefs, and Headmen undertaking not to permit any person or persons to form a factory or factories within their territories and districts without producing the certificate from the Lieutenant-Governor or officer administering the government aforesaid; it being hereby fully understood and agreed that the Lieutenant-Governor of the said colony for the time being shall have full right and authority, and they, the said Kings, Chiefs, and Headmen fully and effectually grant all their right and authority to the said Lieutenant-Governor, to ask, demand, and receive from the person or persons now holding, or who may hereafter hold, any timber or other factory or factories within any of the territories of the said Kings, Chiefs, and Headmen, the amount from year to year which the said person or persons have or may hereafter stipulate to pay for the occupation of the same; and that he the said Lieutenant-Governor, or officer administering the government, shall collect and receive all rents, customs, or presents now due, and shall fix such sum as a future annual rent, present, or custom for such timber or other factory or factories as have already been or may hereafter be established by any person or persons in the territories or districts of the said Kings, Chiefs, and Headmen, as shall appear to the said Lieutenant-Governor fair and reasonable for the security thus afforded to the factories. And the said Kings, Chiefs, and Headmen, further agree to give all the aid in their power for the collection of such debts as may be proved to be justly due by any of their people to any of their merchants, traders, or others, inhabitants of the said colony of Sierra Leone.

XIX. And lastly, it is mutually agreed by the several Contracting Parties, that in the event of any misunderstanding arising relative to the true intent and meaning of any clause in the present Treaty, a person shall be named on the part of the Lieutenant-Governor, or officer administering the government of the said colony for the time being, to meet a person appointed by the said Kings, Chiefs, and Headmen, who shall be respectively empowered to arrange and explain the same.

In witness whereof the several Contracting Parties named in the foregoing Convention have this 16th day of April, in the year of our Lord 1836, at Mabelly aforesaid, placed their hands and seals.

H. D. CAMPBELL, *Lieutenant-Governor.*  
BEY COBOLO, *King of Marampa.*

[Signed by 14 other Kings and Chiefs, enumerated in Schedule A, below.]

Witnesses:

DALLA MAHOMADOO, *Chief of Medina*, and 3 others.

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SCHEDULE A.—Bey Cobolo, King of Marampa, 100 bars;  
Bey Simmerah, King of Simmerah, 100; Bey Fonti, King of



Mendi, 100; Ali Karlie Chief of Port Locco, 600; Ali Karlie Chief of Port Locco, for the Chief of Bumbelly, 50; Pa Suba, Chief of Mabelly, 100; Massa Packey, King of Mallaly, 50; Cessi Betty, Chief of Myappa, 50; Alimarnie Cabba, Chief of Rokelle, 100; Tom Bendo, Chief of Rokon, 50; Mahomadu Bundu, Chief of Furadugu and Mahara, 100; Ali Karlie Sa Maura, Chief of Sanda, 50; Bokoro Surie, Chief of Tambacca, 50; Bey Camma, King of Koolifa, 50; Bey Woosee, King of Limba, 50.

It being against the country law for Bey Faremah, King of Quia country, to go to Mabelly, Lieutenant-Governor Campbell met that King of Furadugu on the Rokelle River, where the foregoing Treaty was read and clearly explained by the Lieutenant-Governor to the said King of Quia, and also the Chiefs and Headmen present, who fully approved of the same, and formally consented to the return to Mahara of that part of Pa Smart's family which had been driven from thence during the Kusso war in 1828 and 1829, and obliged since to reside near the liberated African town of Waterloo. It was also agreed between the said King Faremah and the said Lieutenant-Governor, that Mahomadu Bundu should be the future Headman of Mahara, the said Mahomadu Bundu being bound to keep the line of road open and properly cleared between that place and Waterloo in the colony of Sierra Leone, as also the line of road between Furadugu and Mahara, and that all persons coming from the interior to Mahara and Furadugu on their route to Sierra Leone shall be received and treated in the most friendly manner by the inhabitants of the said town.

In witness whereof the said Lieutenant-Governor Campbell and the said King of Faremah have this 20th day of April, in the year of our Lord 1836, at Furadugu aforesaid, placed their hands and seals.

H. D. CAMPBELL, *Lieutenant-Governor.*  
BEY FAREMAH, *King of Quia.*

Witnesses: KING BANNAH, and 3 others.

SCALE for 100 bars.—2 pieces of blue baft, 20 bars; 2 pieces of white baft, 20; 2 pieces of satin stripe, 24; tobacco 25; 5 gallons rum and jars, 11. Total 100 bars.

SCALE for 50 bars.—1 piece of blue baft, 10 bars; 1 piece of white baft, 10; 1 piece of satin stripe, 12; tobacco, 12; 3 gallons rum, 6. Total 50 bars.

SCALE for 80 bars.—2 pieces of blue baft, 20 bars; 2 pieces of white baft, 20; 1 piece of satin strips, 12; tobacco 20; 5 gallons rum and jars, 8. Total 80 bars.

H. D. CAMPBELL, *Lieutenant-Governor.*

The undersigned Kings, Chiefs, and Headmen, having met

his Excellency Lieutenant-Governor Henry Dundas Campbell and the Kings, Chiefs, and Headmen named in the foregoing Convention, dated 16th April, 1836, and the same having been read and carefully explained to them at a general assembly held this day at Mabelly, do hereby agree to the covenants and stipulations therein contained, and have become parties thereto.

In consideration whereof Lieutenant-Governor Campbell hereby stipulates for himself and his successors to pay the sums set opposite their respective names, at the time and place and in manner specified in the 17th clause of the said Convention.

In witness whereof the parties hereto have hereunto set their hands and seals, at Mabelly aforesaid, this 11th day of April, in the year of our Lord 1837.

H. D. CAMPBELL, *Lieutenant-Governor.*

ALIMAMY DALLA MAHOMADOO, *Chief of Medina,*

Bullom Shore, 450 dollars.

(L.S.) BEY KROO, *King of Mabang*, 100 bars.

(L.S.) BEY YOSSO, *King of Ma Yosso*, nil.

(L.S.) BEY YOLA, *King of Massimerrah*, 50 bars.

(L.S.) BEY YINKA, *King of Tannee*, nil.

(L.S.) CURO-BAH-YOTTO, *Chief of Ro Yellee*, 50 bars.

(L.S.) ENKERRY, *Chief of Fundoo*, 80 bars.

(L.S.) FENDA MOODU, *Chief of Yannie*, 80 bars.

*Mabelly, April 11, 1837.*

MEMORANDUM.—Tom Bendo, designated herein as “Chief of Rokon,” having declared his incapacity to perform the office of Headman of the said town of Rokon, Cessi Betty was appointed to that office with the full consent of the Kings, Chiefs, and Headmen, parties hereto, now assembled at Mabelly, and Cessi Betty having suddenly departed this life on the 7th day of April instant, whereby the said office became vacant, Alimamy Dalla Mahomadoo was proposed by Lieutenant-Governor Henry Dundas Campbell, and the said Kings, Chiefs, and Headmen, with the full consent and approbation of the members of the Pa Compo family, having agreed to such proposition, Alimamy Dalla Mahomadoo was declared to be the Headman of Rokon.

H. D. CAMPBELL, *Lieutenant-Governor.*

Witnesses: THOS. COLE, and 3 others.

(11.)—CONVENTION *with Combo. Cession of Territory.*—  
*Bathurst, July 13, 1840.\**

CONVENTION between his Excellency Henry Vere Huntley  
Lieutenant-Governor of the Settlement of Bathurst and its

\* Confirmed November 9, 1840.



Dependencies in the River Gambia, on behalf of Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, and Soalong Jarta, King of Combo.

WHEREAS the said Lieutenant-Governor Huntley has treated with the said King of Combo for the territory hereinafter described, viz., from the north point of the west side of the Oyster Creek to Cape St. Mary, then south-westerly from that cape following the beach five miles, and from the termination of the said five miles in an east by south (true course) direction, until entering the River Gambia, then following the line of the Combo shore, until again reaching the north point of the Oyster Creek aforesaid, including the whole of the country within the above-mentioned limits :

And whereas all sovereignty of the before-specified territory is now vested in the said King of Combo, and has descended to him from his ancestors, and the said King of Combo having full power to dispose of the same, and being well assured of the pacific, just, and friendly disposition of the said Lieutenant Governor, acting on behalf of Her Majesty the Queen of Great Britain and Ireland, and being moreover fully sensible of the benefits to be derived from the promulgation of British Christian principles, doth in furtherance of that object, and in consideration of the sum of 100 dollars in merchandize, paid to him before the signing and sealing of these presents, the receipt whereof is hereby acknowledged, cede and relinquish to Her Britannic Majesty, her heirs and successors for ever, all claim, title, and right to the sovereignty of the territory hereinbefore described, as well for himself as for and on behalf of his heirs and successors : provided always, that the different individuals at present in possession of property of any description within the limits hereinbefore specified, shall in nowise be disturbed in the enjoyment of the same by any of the provisions of this Convention.

And the said parties further agree to afford no shelter or protection to criminals of any description who may take refuge in the settlement of Bathurst and its dependencies, or in the kingdom of Combo, and that each party shall deliver all offenders claimed as criminals to the other party on application to that effect being made by the proper authorities.

Given under our hands and seals at Bathurst, River Gambia, this 13th day of July, 1840.

(L.S.) H. V. HUNTLEY, *Lieutenant-Governor.*

His  
mark. SOALONG JARTA, *King of Combo.*

MAJALOO, *Alcade of Baccon* (Signature in Arabic).

(12.)—AGREEMENT *with the King of Mellicourie. Peace and Commerce. November 5, 1842.*

AGREEMENT entered into between his Excellency Colonel George Macdonald, Governor-in-Chief of the colony of Sierra Leone and its dependencies on the one part, and Mori Alifa, King of Mellicourie, on the other, on the 5th of November, in the year 1842.

KING ALIFA engages that no war whatever shall be undertaken by him for the purpose of obtaining slaves to be transported across the seas. That he will use his best endeavours to prevent war in any part of his own territories, or of any other territories to which his influence may extend.

That he will in every way in his power forward the interests of the merchants and traders of the colony of Sierra Leone, allowing free passage from Sierra Leone through his country to the interior, and from the interior through his country to Sierra Leone, and that no persons trading as above mentioned shall be in any way molested or delayed.

On the part of his Excellency the Governor in Council it is agreed, that so long as the above conditions are complied with by King Alifa a present shall be made him annually to the amount of 300 bars.

G. MACDONALD, *Governor.*

(Signed in Arabic) MORI ALIFA, *King of Mellicourie.*

Witness: JOHN R. JEREMIE.

(13.)—DECLARATION *of Fantee Chiefs. Human Sacrifices. Cape Coast Castle, March 6, 1844.*

WHEREAS power and jurisdiction have been exercised for and on behalf of Her Majesty the Queen of Great Britain and Ireland, within divers countries and places adjacent to Her Majesty's forts and settlements on the Gold Coast; we, Chiefs, of countries and places so referred to, adjacent to the said forts and settlements, do hereby acknowledge that power and jurisdiction, and declare that the first objects of law are the protection of individuals and of property.

II. Human sacrifices, and other barbarous customs, such as panyaring, are abominations, and contrary to law.

III. Murders, robberies, and other crimes and offences, will be tried and inquired of before the Queen's judicial officers and the Chiefs of the district, moulding the customs of the country to the general principles of British law.

Done at Cape Coast Castle before his Excellency the Lieu-

tenant-Governor, on this 6th day of March, in the year of our Lord 1844.

CUDJOE CHIBBOE, *King of Denkira.*

QUASHIE OTTOO, *Chief of Abrah.*

CHIBBOE COOMAH, *Chief of Assin.*

GEBRE, *Second Chief of Assin.*

QUASHIE ANKAH, *Chief of Donadie.*

AWOOSSIE, *Chief of Domonassie.*

QUASHIE ANKAH.

AMONOO, *Chief of Annamaboe.*

JOE AGGERY, *Chief of Cape Coast.*

Witness my seal on the 6th day of March, 1844, and the 7th year of Her Majesty's reign.

(L.S.) H. W. HILL, *Lieutenant-Governor.*

Witnesses, and done in the presence of:

(L.S.) GEORGE MACLEAN, *J.P. and Assessor.*

(L.S.) F. POGSON, *Lieut. 1st W. I. Regiment.*

*Commanding H. M. Troops.*

(L.S.) S. BANNERMAN, *Adjutant of Militia and Police.*

(14.)—AGREEMENT *with the King and Chiefs of Bonny. Slave Trade. Bonny River, June 6, 1844.*

AGREEMENT between CAPTAIN TUCKER and KING PEPPLÉ.

Convention for the total suppression of the Slave Trade, agreed upon by William Tucker, Esq., Captain of Her Majesty's ship "Iris," and senior officer of Her Britannic Majesty's ships and vessels on the West Coast of Africa.

King Pepple and the Chiefs of the Bonny dominions.

It is agreed, and the two Contracting Parties hereby covenant and agree:—

ART. I. That the Slave Trade shall be totally and for ever abolished in the dominions subject to the jurisdiction of King Pepple and the Chiefs of the Bonny, and that no slaves shall be passed through or exported from those dominions, from the date of the ratification of the agreement.

II. That in consideration of the total abolition of the Slave Trade for ever, and that no slaves shall be permitted to pass through or be exported from the said dominions, Great Britain engages to pay to King Pepple, on the ratification of this agreement, goods to the amount of 10,000 dollars per annum for 5 years.

III. That on each future time of making the annual gifts, the man-of-war bringing the annual present, King Pepple shall furnish Great Britain with a demand from the merchants frequenting the Bonny, certifying the fact that no Slave Trade

has to their knowledge existed there, and that no slaves have been passed through their dominions subject to the jurisdiction of King Pepple and the Chiefs of the Bonny of the preceding year.

IV. That if at any time whatever, either from want of that document, or from any other circumstance, it shall appear that the Slave Trade has been carried on in, from, or through the dominions of King Pepple and the Chiefs of the Bonny, the gifts mentioned in the preceding article will be discontinued, and the Slave Trade will be put down by Great Britain by force, and King Pepple and the Chiefs of the Bonny will expose themselves to severe acts of displeasure on the part of Great Britain.

V. That King Pepple shall make a proclamation and a law prohibiting all his subjects, or persons depending on him, from selling any slaves to be transported from the dominions subject to his jurisdiction, or to aid, abet, or assist in any such sale, under penalty of severe punishment.

VI. That at the particular request of King Pepple, the said gifts shall be paid in dollars, viz., 10,000 dollars per annum, year by year for 5 years, upon the document required being received as proof of his having fulfilled the said articles.

VII. And this agreement shall be considered binding, and be continued in full force by and to the heirs and successors of King Pepple.

VIII. That should Great Britain at any time permit the Slave Trade to be carried on again, the Chiefs of the Bonny shall be at liberty to carry on the Slave Trade also.

(Signed) WM. TUCKER.  
KING PEPPLE.

In the presence of:

W. BLOUNT, <i>Lieut.-Commander</i>	Their	MANILLA PEPPLE
" <i>Pluto.</i> "		ANNA PEPPLE.
W. WEBSTER, <i>2nd Lieutenant</i>		JEW JEW PETER.
" <i>Iris.</i> "		KING HOLLIDAY.
THOS. E. SEYMOUR, <i>Lieutenant.</i>		PARLIAMENT GENTLEMAN.
R. GRAHAM, <i>Assistant-Surgeon.</i>		OLD INDIAN QUEEN.
CHRIS. JACKSON, " <i>Hesperus.</i> "		TERRYON.
His		GRAND BONNY.
✓ JACK BROWN		KING GEORGE.
mark.		BLACK FONTRE.
		TOM TOM.
		DAPPER.
		JOHN AFRICA.
	marks.	

This is to certify that King Pepple has given me the original Convention of Treaty made between W. Tucker, Esq., captain of Her Majesty's ship "*Iris*," and King Pepple, for the sup-



cession of the Slave Trade, to be sent to England in the brig "May," for the purpose of having that document legally stamped in England, and undertake to return the same back again to King Pepple when properly executed.

(Signed) R. HEMMINGWAY.

Brig "William Rathbone," June 5, 1844, Bonny River.

Witness.

I have seen the original document between William Tucker and King Pepple and the Chiefs of the Bonny, in Mr. R. Hemmingway's house.

June 6th, 1844.

(Signed) C. JACKSON.

(15.) CONVENTION *with Dahomey. Friendship and Commerce.*  
*Cape Coast Castle, March 8, 1847.*

WILLIAM WINNIETT, Esq., Commander in Her Majesty's Royal Navy, and Lieutenant-Governor of the Forts and Settlements on the Gold Coast, on the part of Her Majesty Victoria, Queen of Great Britain and Ireland, and His Majesty "Guzzu," King of the Kingdom of Dahomey, in Africa, on the part of himself, his heirs, and successors, have agreed upon the following Articles and conditions :

ART. I. It is agreed, and the two Contracting Parties hereby covenant and agree that there shall be a true friendship, reciprocity, and good understanding between Her Most Gracious Majesty Victoria, Queen of Great Britain and Ireland, and His Majesty "Guzzu," King of the Kingdom of Dahomey, in Africa, and their heirs and successors, and that the same be so sincerely preserved and cultivated, that neither party do, under any colour whatever, endeavour to attempt anything to the destruction or detriment of the other, or yield any aid or assistance to those who attempt the same; on the contrary, their said Majesties shall be obliged each to promote the advantage, honour, and interest of the other, whenever and wherever it may be done.

II. There shall be to the subjects of Her Most Gracious Majesty Victoria, Queen of Great Britain and Ireland, a free liberty of commerce, and they shall have liberty to come with their ships and cargoes to all places, ports, and rivers in the dominions of His Majesty Guzzu, King of Dahomey, and shall enter into the same, and reside and remain in any part of the said dominions; also to hire and occupy any houses or warehouses for the purposes of their commerce, and shall always enjoy the most complete protection and security from His Majesty Guzzu, King of Dahomey.

III. Whereas hitherto British merchants residing in the different ports of the coast in the dominions of His Majesty Guzzu,



King of Dahomey, for the purpose of carrying on legitimate commerce, have experienced much inconvenience from the threats of other foreigners residing therein, to burn their factories and injure persons: it is therefore agreed between the two Contracting Parties, that His Majesty Guzzu, King of Dahomey, his heirs and successors, shall give these British subjects his special protection, to be clearly indicated to all the world, both by granting permission to the said British subjects to hoist a flag of the kingdom of Dahomey in concert with the flag of England, on their respective factories, and by issuing a proclamation to His Majesty's subjects, and all foreigners residing within his dominions, not to molest or interfere with or threaten the lives of British subjects, on pain of severe punishment, and incurring His Majesty's severe displeasure.

IV. The several stipulations and conditions of the present Treaty shall begin to have effect from the date of Her Britannic Majesty's ratification thereof, after it shall have received the signature of His Majesty, King of Dahomey.

In witness whereof, we, the Undersigned, have signed the present Treaty, with our hands on the dates herein set forth, and have caused our seals to be set thereto.

Done at Cape Coast Castle, this 8th day of March, in the year of Our Lord 1847.

Signed, sealed, and delivered in the presence of:

(L.S.) WILLIAM WINNIETT, *Commander Royal Navy,*  
*Lieutenant-Governor, Gold Coast.*

THOMAS HUTTON, J.P., *Cape Coast.*

FRANCIS SWANZY, J.P., *Cape Coast.*

Signed, sealed, and delivered in the presence of:

His  
X GUZZU, *King of Dahomey.*  
mark.

ARCHD. R. RIDGWAY, M.B.

THOMAS BIRCH FREEMAN.

At Ibomey, this 5th day of April, 1847.

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(16.)—TREATY *with the King and Chief of the Kaloom. Peace, Friendship, Religious Protection, Slave Trade, and Commerce. Dubreka, November 2, 1847.*

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TREATY between Captain James Waddell, 3rd West India Regiment and Nathaniel Isaacs, Esq., Commissioners on the part of his Excellency Norman William Macdonald, Governor-in-Chief of the Colony of Sierra Leone and its Dependencies, for and on behalf of Her Most Gracious Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the

Faith, &c., and Mareeah Dembah, King and Chief of the Kaloom country, including the River Soombia or Dubreka and Tombo Island.

ART. I. There shall be peace and friendship between the subjects of the Queen of England and the people subjects to the above-mentioned King.

II. The King aforesaid shall permit the ministers of the Christian religion to reside within his territories, and shall permit them to exercise their calling, and he, the King aforesaid, doth hereby guarantee to them the fullest protection.

III. The lives and properties of liberated Africans and all other subjects of the Queen of England shall be inviolate.

IV. The King aforesaid promises and engages to abolish the Slave Trade, and not to allow any exportation of slaves from his country, nor to allow any vessels, crafts, boats, or canoes to enter into any of his rivers, creeks, bays, or waters for the purpose of buying or selling slaves, or being in any manner engaged in the Slave Trade, nor to allow factories or other establishments to be formed in his territory by any person whatever for the purpose of purchasing or selling slaves.

V. No country law, custom, or purrah is to be put in force against any subject of the Queen of England, on any pretence whatever, nor are any of the Queen's subjects to break through any country law or custom, nor commit any illegal act within the territory of the King aforesaid, party to this Treaty.

VI. The King aforesaid doth hereby recognize and acknowledge the rights which the subjects of the Queen of England have heretofore and at all times enjoyed, of free and unrestricted intercourse for trade or commerce, and for all other legitimate purposes in and throughout his territory; and the King aforesaid doth hereby on his part confirm, guarantee, and assure to the subjects of the Queen of England this right of free and unrestricted intercourse so far as his own territories extend; and also that the subjects of her said Majesty shall be allowed to remain in peaceable possession of the lands and houses which they have purchased or hired in the country and territories of the said King; and that the subjects of her said Majesty, as heretofore, may sell, buy, or hire lands or houses in the country, and those lands or houses shall not be entered upon or into without their consent, nor shall their goods be seized nor their persons touched; and if English people are wronged or ill-treated by the subjects or people of the said King, he the said King shall punish those who wrong or ill-treat the English people.

VII. The canoes and boats of the subjects of the aforesaid King, whilst trading between the said colony and the territories of the aforesaid King, in articles the produce of his territories, are to be placed upon the same footing as the boats and canoes

of the colony of Sierra Leone; and the following articles, viz rice, grain, palm oil, nuts used for the manufacture of oil, hide bees'-wax, coffee, benni-seed, ivory, dye-woods, timber, cotton country cloths, gums, foondungee, gold, dono-grease, herbs, bulbs, and nuts used for medicinal purposes, horses, asses, cattle, sheep, and goats, being the produce of the territories of the said King, shall be admitted into the colony of Sierra Leone duty free.

VIII. All disputes which may arise between any of the inhabitants of the colony of Sierra Leone and the subjects or people of the King aforesaid shall be referred to the Governor of Sierra Leone for the time being.

IX. The King, party to this Treaty, shall not enter into wars, or commit any acts of aggression on any of the neighbouring Chiefs by which the peace of the country shall be disturbed, the trade between his country and the colony of Sierra Leone interrupted, and the safety of the property and person of the Queen of England's subjects compromised.

X. The subjects of the Queen of England are hereby strictly prohibited from engaging, either directly or indirectly, in any war or quarrel which may break out between the King, party to this Treaty, and neighbouring Chiefs; and they are strictly prohibited from aiding or assisting them in the prosecution of any such war or quarrel by furnishing them either with powder or muskets, or with any other description of warlike stores whatever.

XI. The paths shall be kept open through the territories of the aforesaid King, so that English traders may carry goods of all kinds through the aforesaid territories; and the traders of other countries may bring their goods through the aforesaid territories to trade with the English people freely and unmolested.

XII. The Queen of England may appoint an agent to visit the countries subject to the said King, or to reside there, in order to watch over the interest of the English people, and to see that this agreement is fulfilled; and such agent shall always receive honour and protection in the territories of the aforesaid King, and the said King shall pay attention to what the said agent may advise, and the person and property of the agent shall be respected.

XIII. If the subjects of the aforesaid King should take away the property of any English person, or should not pay their just debts to any English person, the aforesaid King shall do all he can to make people restore the property and pay the debt; and if English people should take away the property of the people of the said King, or should not pay their just debts to the people, the King shall make known the facts to the Governor of the said colony of Sierra Leone for the time being, or to the

resident agent (if there be one), and the Governor or agent, whoever it may be, shall do all he can to make the English persons restore the property and pay their debts.

XIV. In proof of the value entertained by the said King of the countenance and support of the British Government, and of his earnest desire that he and his successors should always hereafter be considered as stanch allies to the Queen of England and to the Government of the colony of Sierra Leone, the said King doth hereby guarantee that any Treaty which he may hereafter enter into with any other foreign Power or State shall in no way interfere with or compromise the rights of free intercourse recognized, acknowledged, and confirmed in clause VI of this Treaty, and the privileges hereby secured to the subjects of the Queen of England and to the inhabitants of the colony of Sierra Leone; and any additional privileges commercial or otherwise, which may by such Treaties be granted to such foreign Power shall be also considered as granted to the subjects of the Queen of England.

XV. In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the King aforesaid, party thereto, and of his successors, his Excellency Norman William Macdonald, Governor-in-Chief of the colony of Sierra Leone, hereby agrees for himself and successors, on the part of Her Majesty the Queen of England, to pay or cause to be paid annually to the King aforesaid the customs hereafter set forth, viz., the sum of 400 bars.

The above bars to be computed by the scale of bars in the schedule hereunto annexed.

XVI. The said King shall, within 48 hours after the ratification of this Treaty, proceed to proclaim the same throughout his territories, and carry it into effect as a law.

Done at Dubreka, in the territory of the aforesaid King, this 2nd day of November, in the year of our Lord 1847, and in the 11th year of Her Majesty's reign.

J. WADDELL, *Capt. 3rd W. I. Reg.*

NATHANIEL ISAACS.

His

✕

mark.

MAREEAH DEMBAH.

Witnesses in Arabic:

YENNEE SAIDOO, *of Dubreka.*

CALHI LAMANA, *of Corporo.*

YAMBA MORIE, *of Manhear.*

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SCHEDULE.—Scale for 400 bars: 8 pieces blue baft, 80; 8 pieces white baft, 80; 8 pieces satin stripe, 96; 472 lbs. tobacco, 100; 20 gallons rum in 4 jars, 44. Total, 400 bars.

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(17.)—TREATY *with the King and Chief of Fouricaria. Peace, Friendship, Religious Protection, Slave Trade, and Commerce. Fouricaria, November 15, 1847.*

TREATY between Captain James Waddell, of the 3rd West India Regiment, and Nathaniel Isaacs, Esquire, Commissioners on the part of his Excellency Norman William Macdonald, Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and its Dependencies, for and on behalf of Her Most Gracious Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., and Alimami Ali, King and Chief of the Fouricaria country.

[Here follow Articles I to XV. See Treaty with Kaloom. No. 16.]

XVI. The said Chief shall, within 48 hours after the ratification of this Treaty, proceed to proclaim the same throughout his territories, and carry it into effect as a law.

Done at Fouricaria, the 15th day of November, in the year of our Lord 1847, and of her Majesty's reign the 11th.

J. WADDELL, *Capt. 3rd W. I. Regt.*

NATHL. ISAACS.

ALIMAMI ALI (signed in Arabic).

Witnesses in Arabic:

QUIA FODAY.

FODAY WEST.

MUBALOO LAMAND.

SCHEDULE.—Scale for 400 bars: 8 pieces blue baft, 80; 8 pieces white baft, 80; 8 pieces satin stripe, 96; 172 lbs. tobacco, 100; 20 gallons rum, in 4 jars, 44. Total, 400 bars.

(18.)—TREATY *with the Chief of Bareira. Peace, Friendship, Religious Protection, Slave Trade, and Commerce. Fouricaria, November 16, 1847.*

TREATY between Captain James Waddell, of the 3rd West India Regiment, and Nathaniel Isaacs, Esq., Commissioners on the part of his Excellency Norman William Macdonald, Captain-General and Governor-in-chief in and over the Colony of Sierra Leone and its Dependencies, for and on behalf of Her Most Gracious Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., and Alimami Sarleah, Chief of the Bareira country.

[Here follow Articles I to XV. See Treaty with Kaloom, No. 16.]

XVI. The said Chief shall, within 48 hours after the ratifica-



tion of this Treaty, proceed to proclaim the same throughout his territories, and carry it into effect as a law.

Done at Fouricaria, this 16th day of November, in the year of our Lord 1847, and of Her Majesty's reign the 11th.

J. WADDELL, *Capt. 3rd W. I. Reg.*

NATHL. ISAACS.

ALIMAMI SARLEAH (signed in Arabic).

Witnesses, signed in Arabic:

BALU FODAY, and 3 others.

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SCHEDULE.—Scale for 100 bars.—2 pieces blue baft, 20 bars; 2 pieces white baft, 20; 2 pieces satin stripe, 24; 43 lbs. tobacco, 25; 5 gallons rum and jar, 11. Total, 100 bars.

Scale for 50 bars.—1 piece blue baft, 10 bars; 1 piece white baft, 10; 1 piece satin stripe, 12; 21½ lbs. tobacco, 12½; 2½ gallons rum in 1 jar, 5½. Total, 50 bars.

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(19.)—TREATY *with the King of Locco Marsamma. Peace, Friendship, Religious Protection, Slave Trade, Commerce, and Cession. Freetown, November 29, 1847.*

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TREATY between his Excellency Norman William Macdonald, Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and its Dependencies, Vice-Admiral, Chancellor, and Ordinary of the same, and Ba Mauro, King of Locco Marsamma, acting by and with the advice and consent of the Chiefs and Headmen of the Locco Marsamma country, concluded at Freetown, in the colony of Sierra Leone, the 29th November, 1847.

[Here follow Articles I to XIII. See Treaty with Kaloom, No. 16.]

XIV. Notwithstanding that the right of the British Government to the sovereignty over the whole of the waters of Sierra Leone river is ancient and valid, certain parties have nevertheless brought that right into question for the purpose of defrauding the revenue of the said colony, alleging, as the grounds for so doing, that no formal cession of any portion of the north bank of the said Sierra Leone River has ever been made to the British Government. In order to remove the ground for such allegation for the future, the Governor of the said colony has requested the King, party to this Treaty, to cede unto him and his successors in office, for and on behalf of her Majesty the Queen of England, for ever, such portion of his territory as is hereinafter mentioned.

XV. And the said King and Chief, in proof of his friendship for Her Majesty the Queen of England, and to testify his confidence in the British Government, hereby consents to cede, and by these presents doth for himself and his successors in office for ever cede and transfer, unto the Governor aforesaid

and his successors, Governors of the said colony, for and on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the right, title, and sovereignty in and over that portion of his territory extending from the point on the eastern shore of the Cum-ro-bey Creek, where the cession of the territory on the mainland to Acting Governor Hamilton in the year 1824 commences, round the head of that creek leading up to the town of Cum-ro-bey, and thence round the western shore of the said creek by Tagarene point to the Ro-Ma-Kbog-Boh Creek, the boundary of the Locco Marsamma and Kaffu Bullom countries, and extending in depth inland one quarter of a mile from high-water mark, and from the Key Sullong Creek, which also separates the territory of the King of the Locco Marsamma from the territories of the King of the Kaffu Bulloms on the west, round Baloh point and along the south bank of the Small Scarcies or Ro-Boorey River to the creek or brook which runs past the town of Rokon and empties itself into the Ro-Boorey River, being the eastern boundary between the Locco Marsamma and Bacca Locco countries, also extending inland for the depth of one quarter of a mile from high-water mark, and including in the foregoing cession the islands of Yellow-o-Boyah, Certimo, and Ki-Kon-Keh.

XVI. In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the King aforesaid and of his successors, his Excellency Norman William Macdonald, Governor of the colony of Sierra Leone, hereby agrees for himself and successors, on the part of Her Majesty the Queen of England, to pay or cause to be paid annually to the said King and his successors the Customs hereinafter set forth, provided always that this present Treaty be first duly ratified and confirmed by Her Majesty the Queen of England, viz., to Ba Mauro the sum of 400 bars.

The above bars to be computed according to the scale set forth in the schedule hereunto annexed.

The said King party thereto shall, in 48 hours after the ratification of this Treaty shall have been notified to him, proceed to proclaim the same throughout his territory, and carry it into effect as a law.

N. W. MACDONALD, *Governor.*

His

✕ BA MAURO.

mark.

Witnesses :

BENJAMIN C. C. PINE, *Actg. Chief Justice*, and 4 others.

SCHEDULE—Scale for 300 bars.—6 pieces blue baft, 60 bars; 6 pieces white baft, 60; 6 pieces satin stripe, 72; 129 lbs. tobacco, 75; 15 gallons rum in 3 jars, 33. Total, 300 bars.

Scale for 100 bars.—2 pieces blue baft; 2 pieces white baft; 2 pieces satin stripe; 43 lbs. tobacco; 5 gallons rum in jars.

We, the principal Chiefs and Headmen and the sons of the principal families of the Locco Marsamma country whose names are hereunto affixed, do hereby acknowledge Ba Mauro to be our lawful head and King, and do hereby also ratify and confirm all that he, as King or Chief, has done on the above Treaty, and do further pledge ourselves to carry the terms of the same into effect.

KALLA MODU, and 10 others (signed in Arabic).

Witnesses:

BENJAMIN C. C. PINE, M.C., *Actg. Chief Justice.*

CHARLES HEDDLE, M.C.

JOHN McCORMACK.

(20.)—TREATY *with the King of the Kaffu Bullom. Peace, Friendship, Religious Protection, Slave Trade, Commerce, and Cession. Freetown, November 29, 1847.*

TREATY between his Excellency Norman William Macdonald, Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and its Dependencies, Vice-Admiral, Chancellor, and Ordinary of the same, and Bey Sherbro, King of the Kaffu Bulloms, acting by and with the advice and counsel of the Chiefs and Headmen of the Kaffu Bullom country.

[Here follow Articles I to XIII. See Treaty with Kaloom, No. 16.]

XIV. Notwithstanding that the right of the British Government to the sovereignty over the whole of the waters of the Sierra Leone River is ancient and valid, certain parties have nevertheless brought that right into question, for the purpose of defrauding the revenue of the said colony, alleging as the grounds for so doing that no formal cession of any portion of the north bank of the said Sierra Leone River has ever been made to the British Government. In order to remove the ground for such allegation for the future, the Governor of the said colony has requested the King party to this Treaty to cede unto him and his successors in office for and on behalf of Her Majesty the Queen of England for ever such portion of his territory as is hereafter mentioned.

XV. And the said King and Chief, in proof of his friendship for Her Majesty the Queen of England, and to testify his confidence in the British Government, hereby consents to cede, and by these presents doth for himself and his successors in office for ever cede and transfer unto the Governor aforesaid and his successors, Governors of the said colony, for and on behalf of Her Majesty the Queen of the United Kingdom of Great Britain

and Ireland, the right, title, and sovereignty in and over that portion of his territory (extending along the north bank of the Sierra Leone, from Ro-Ma-Kbog-Boh Creek on the east to Key Polong Creek on the west, and extending inland one quarter of a mile in depth from high-water mark).

XVI. In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the King aforesaid and of his successors, his Excellency Norman Wiliam Macdonald, Governor of the colony of Sierra Leone, hereby agrees for himself and successors, on the part of Her Majesty the Queen of England, to pay or cause to be paid annually to the said King and his successors the customs hereinafter set forth, provided always that this present Treaty be first duly ratified and confirmed by Her Majesty the Queen of England, viz., to Bey Sherbro the sum of 400 bars.

The above bars to be computed according to the scale set forth in the schedule hereunto annexed.

The said King party hereto shall, in 48 hours after the ratification of this Treaty shall have been notified to him, proceed to proclaim the same throughout his territory and carry it into effect as a law.

Done at Freetown, in the colony of Siorra Leone, this 29th day of November, 1847.

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SCHEDULE.—Scale for 300 bars.—6 pieces blue baft, 60 bars; 6 pieces white baft, 60; 6 pieces satin stripe, 72; 129 lbs. tobacco, 75; 15 gallons rum in 3 jars, 33. Total, 300 bars.

Scale for      bars.—      pieces blue baft;      pieces white baft; pieces satin stripe;      tobacco;      rum, gallons in      jars.

N. W. MACDONALD, *Governor.*

His

✕ BEY SHERBRO.

mark.

Witnesses :

BENJ. C. C. PINE, M.C., *Actg. Chief Justice*, and 3 others.

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We, the principal Chiefs and Headmen and the sons of the principal families of the Kaffu Bullom country whose names are hereunto affixed, do hereby acknowledge Bey Sherbro to be our lawful Head and King, and do hereby also ratify and confirm all that he as King or Chief has done in the above Treaty, and do further pledge ourselves to carry the terms of the same into effect.

S. PETER WILSON, and 9 others.

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*Sierra Leone, August 26, 1852.*

Nain Sugo, the present Bey Sherbro of the Kaffir Bulloms, having entered into a new Treaty with the Governor of Sierra Leone on behalf of Her Majesty, under date the 26th of August,



1852, solemnly ratifying the cession herein detailed, the annual stipend of 400 bars hereby engaged to be paid (and always heretofore paid) to Bey Sherbro of Yongoro (on the Bullom shore) ceases, and a like sum will be paid to the present and all future Bey Shebros of that country on the recently concluded Treaty above referred to.

N. W. MACDONALD, *Governor.*

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(21.)—SUPPLEMENTARY ARTICLE to the Treaty of November 2, 1847,\* with the King of Kaloom. Commerce. Dubreka, October 31, 1848.

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By the authority of his Excellency Norman William Macdonald, Esq., Governor-General and Commander-in-Chief of Her Majesty's colony of Sierra Leone and its dependencies, conveyed to me by letter dated Government House, Sierra Leone, 13th January, 1848, I have this day entered into the following arrangement with Dembah, King of Dubreka, and the Khaloon Bahgers, for the anchorage and waterage dues which shall be paid to him by all British registered vessels which may visit the river in his dominions for purpose of lawful commerce.

That is to say, that from this day forth every British registered vessel entering into and anchoring in the River Dubreka, or any of the water running into that river, the sum of 12 dollars shall be paid by the captain or supercargo of such vessel to King Dembah or his assigns as anchorage and waterage dues for every clear or new voyage such vessel may make.

It is distinctly understood that the above anchorage dues are not to be claimed from the small coasting-vessels belonging to the merchants resident in Sierra Leone and its dependencies, and which are registered in that colony.

This arrangement or agreement to form a supplemental Article to the Treaty of Commerce and Friendship entered into between Nathaniel Isaacs, Esq., and Captain James Waddell, of 3rd West India Regiment, Commissioners of his Excellency Norman William Macdonald, on behalf of Her Majesty Queen Victoria and King Dembah, dated 2nd of November, 1847.

Done at Dubreka, the residence of King Dembah, this 31st day of October, 1848, by virtue of the authority vested in me by his Excellency Norman William Macdonald, on behalf of Her Majesty Victoria, Queen of Great Britain and Ireland.

B. CAMPBELL.  
KING DEMBAH.

Witness: JOSEPH SABB.

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\* See Page 34.

(22.)—CONVENTION *with Barra. Cession of Territory.*  
November 18, 1850.\*

CONVENTION made this 18th day of November, in the year of the Christian Era, 1850, between His Excellency Richard Graves MacDonnell, Governor and Commander-in-Chief of the British Settlements in the River Gambia and their dependencies, for and on behalf of Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, of the one part; and Dembar Sonko, King of Barra, for himself, his heirs and successors, Amodo Talli, Alcade of Jillifree, Era Sonko, Alcade of Berending, and Mahmoudi Sankoor, brother of the said Dembar Sonko, of the other part.

WHEREAS, on the 15th day of June, in the year of the Christian Era 1826,† a Convention was made between his Honour, Kenneth Macaulay, Acting Governor of Sierra Leone and its dependencies, of the one part, and Brunay, King of Barra, and his Chiefs and Headmen, of the other part; and whereas, by the third Article of the said Convention, the sovereignty of the northern or right bank of the said River Gambia was ceded to His Majesty the King of Great Britain and Ireland, his heirs and successors, as in the Convention is more particularly set forth; and whereas, by the said Convention, and also by the Additional Article to the said Convention, there was excepted from the territory, whereof the sovereignty had been ceded to His Majesty the King of Great Britain and Ireland as aforesaid, a piece of ground near Albreda, on the banks of the said River Gambia, which said piece of ground then supposed to be occupied by French subjects, and to extend 400 yards in breadth and 300 yards in depth, from the north bank of the said River Gambia. And whereas a Convention was made on the 5th day of January, in the year of the Christian Era 1832, between his Excellency George Rendell, on behalf of His Majesty the King of Great Britain, his heirs and successors, of the one part, and Brunay, King of Barra, his Chiefs, and people, of the other part; and whereas, by the second Article of the said last-recited Convention, the sovereignty of the right bank of the River Gambia was confirmed to the King of Great Britain, his heirs and successors, with the exception of that portion which was then occupied by the French as the factory of Albreda; and whereas doubts have arisen as to the extent of ground which French subjects are entitled to occupy at Albreda; and whereas no provision has hitherto been made as to the right of sovereignty over any portion of the said hereinbefore-mentioned space of 400 yards by 300 yards,

\* Confirmed March 20, 1851.

† See Page 5.

in the event of any portion of the said space not being occupied by French subjects, or being occupied by French subjects wrongfully. Now, therefore, this Convention witnesseth, that in consideration of his friendship for the Queen of Great Britain, her heirs and successors, and also in consideration of the sum of 5*l.* paid before the signing and delivery of these presents, the said Dembar Sonko, for himself, his heirs and successors, and the said Amodo Talli, the said Era Sonko, and Mahmoudi Sankoora cede and quit claim to all right of sovereignty, and all right of property and claims whatsoever in and to any portion of the hereinbefore-mentioned space of 400 yards by 300 yards, and in all ground heretofore occupied or claimed by any French subjects or citizens, in or near to Albreda as aforesaid; and the said Dembar Sonko doth for himself, his heirs and successors, absolutely cede and relinquish to the said Queen of England, her heirs and successors, all right and claim of sovereignty of himself the said Dembar Sonko, his heirs and successors, over the said reserved space of 400 yards by 300 yards in the said hereinbefore recited Conventions more particularly mentioned and described. Provided nevertheless that no just rights of French subjects or citizens, or of the French Government, in or to any portion of the said reserved space of 400 yards by 300, shall be in any manner ceded or diminished by this Convention, or any part thereof.

In witness whereof the above-mentioned parties to these presents have hereunto set their hands and seals the day and year first above written.

	(L.S.)	RICHARD GRAVES MACDONNELL, <i>Governor.</i>
(Arabic Signature)	(L.S.)	KING OF BARRA.
"	(L.S.)	AMODO TALLI, <i>Alcade of Jillifree.</i>
"	(L.S.)	ALCADE OF BERENDING.
"	(L.S.)	MAHMOUDI SANKOORA, <i>Brother of</i> <i>the King of Barra.</i>

Signed, sealed, and delivered in the presence of us, this 18th day of November, 1850.

T. PRENDERGAST, *Captain 3rd W. I. Regiment, Commanding the Troops.*

RICHARD PINE, *Merchant of Bathurst.*

ROBERT MOSTYN, *Lieutenant 3rd W. I. Regiment.*

P. H. ROE, *Staff Assistant-Surgeon.*

To all whom these presents shall come, I, Dembar Sonko, King of Barra, and I, Amodo Talli, Alcade of Jillifree, send greeting :

WHEREAS, with the advice and consent of the Chiefs and Headmen of Barra, we have agreed respectively with Richard Graves MacDonnell, Governor and Commander-in-Chief of the

British Settlements in the Gambia, and his successors, acting for and on behalf of Her Majesty the Queen of Great Britain and Ireland, and her heirs and successors, to convey, bargain and sell, give and grant, on the part of ourselves and our successors, and of the Chiefs and Headmen of the said kingdom of Barra, to the said Richard Graves MacDonnell, and his successors, for and to the sole use of her said Majesty, her heirs, successors, and assigns, all right, property, and title in or to the hereditaments and lands hereinafter more particularly described; now therefore, in pursuance of the said Agreement, and in consideration of the sum of 100 dollars paid to me the above-mentioned Dembar Sonko, and of the further sum of 200 dollars paid to me the above-mentioned Amodo Talli, Alcade of Jillifree, the receipt of which several sums immediately before the sealing and delivery of these presents is hereby acknowledged, and in consideration of the further sum of 10*l.* sterling to be paid to us at or immediately after the signing and delivery of these presents, I, the said Dembar Sonko, and the said Amodo Talli, do hereby convey, bargain and sell, give and grant to the said Richard Graves MacDonnell and his successors, all that piece of land immediately adjoining the western boundary of the French factory at Albreda and bounded on the east (as shown in the Plan marked A hereunto annexed), by a line 400 yards in length,\* and drawn north by south, through a point six toises west of the western extremity of the southern wall of the house formerly occupied by the French Resident of Albreda, and bounded on the west by a line† 400 yards in length, and drawn parallel to the aforesaid line, running north and south as hereinbefore more particularly set forth, and distant 1,000 yards from the said line so running as aforesaid north and south, and bounded on the north by a line‡ connecting the northern extremities of the eastern and western boundaries respectively, that is to say, of the northern extremities of the two parallel lines aforesaid, and bounded on the south by low water mark, on the beach of the River Gambia,§ to have and to hold the said piece or parcel of land, and the said hereditaments, with their appurtenances, to the use of Her Majesty the said Queen of Great Britain and Ireland, her heirs, successors, and assigns, for ever; and we the said Dembar Sonko, and the said Amodo Talli, Alcade of Jillifree, for ourselves, our heirs, and successors, and on the part of the Headmen and Chiefs of Barra respectively, the parcels, lands, and hereditaments, with their appurtenances, hereby bargained and sold, given and granted, will for ever warrant and defend against all persons whomsoever.

In witness whereof we have hereunto set our hands and seals this 18th day of November, in the year of the Christian

\* B C in Plan annexed.

‡ D B in annexed Plan.

† D E in annexed Plan.

§ E F C in Plan annexed.



Era, 1850, at Government House, in the British settlements of Bathurst.

(Signature in Arabic)

KING OF BARRA.

ALCADE OF JILLIFREE.

Signed, sealed, and delivered, in the presence of us, this 18th day of November, 1850.

RICHARD GRAVES MACDONNELL, *Governor and Commander-in-Chief, and several other Signatures.*

(23.)—CONVENTION *with Combo. Cession of Territory. Jeswang, December, 26 1850.\**

CONVENTION made at Jeswang, in the Kingdom of Combo, this 26th day of December, in the 1850th year of the Christian Era, between Richard Graves MacDonnell, Governor and Commander-in-Chief of the British Settlements in the Gambia and their Dependencies, for and on behalf of Her Majesty, the Queen of Great Britain and Ireland, her heirs and successors of the first part, Ansumarna Jarta, King of Combo, of the second part, Mardy Mariarma, Slatee of Yundum, and next heir to the Crown of Combo, of the third part; Ansumarna Cesey (Alcade of Mandinary), Fody Ansumarna Munang, Majiboo Cesey, Bass Booroko, Moosa Channang, Fody Barcarry, Janka Fatima, Kassee Koonkoong, Samba Deber, Ansumarna Jarta (Chief of Bedjulo), Laming Sinney (the King's eldest son), Chiefs of Combo, and Headmen of Baccon, in the said Kingdom of Combo, of the fourth part.

WHEREAS the aforesaid Contracting Parties hereto have agreed for the considerations hereinafter mentioned to make this Convention; and whereas the sovereignty of certain lands and territories in the kingdom of Combo were ceded to the Queen of Great Britain and Ireland by a Convention or deed in writing, dated 13th July, 1840,† and made between Henry Vere Huntley, then Lieutenant-Governor of the British Settlements in the River Gambia, and Soulong Jartar, King of Combo, and whereas the fee simple and property in certain of the lands in the neighbourhood of Baccon aforesaid was conveyed to the use of her said Majesty by an indenture, bearing date the 24th day July, in the year 1840, and made between Mujabo Seesee and Amadee Banjole, both of Baccon, of the first part, and the said Henry Vere Huntley, of the second part; and whereas doubts have arisen as to the extent of territory granted to her said Majesty by the said Convention, and by the said indenture; and whereas the several parties to this Convention being desirous of terminating all such doubts, and defining more accurately

\* Confirmed February 25, 1851.

† See page 28.

the ground and territory intended to be ceded to her said Majesty, appointed Commissioners on the part of her said Majesty, Daniel Robertson, Esq., Colonial Secretary; William Bage, Esq., Colonel, Engineers; and Thomas Kehoe, Staff Surgeon, 2nd class; and on the part of the King of Combo and the people of Combo, John James Staples Finden, Esq., Major Commanding the Royal Gambia Militia; Majabo Cesey, Ansumarna Cesey (Alcade of Mandinary), Fody Ansumarna Munang, and the said Commissioners proceeded on the 26th of the present month to view the ground and territory hereby intended to be ceded as aforesaid, and did mark out and designate accurately the said ground and territory. Now, therefore, it is agreed between the several parties to this Convention; first, that in lieu of and instead of any ground heretofore ceded by the Convention and by the indenture hereinbefore recited, the absolute sovereignty and entire property, and the fee simple of the ground and territory marked out by the Commissioners aforesaid, shall be hereby given, granted, and ceded to her said Majesty, her heirs and successors for ever, saving and excepting any right of property acquired by any parties in any portion of the said ground or territory previous to the signing of this Convention.

2dly. That the said Richard Graves MacDonnell, or the officer administering the Government of the British Settlements in the Gambia, shall appoint one or more competent persons to make a map of the said ground and territory hereby intended to be given, granted, and ceded, as aforesaid, and shall cause proper landmarks to be fixed on the said ground the better to define its limits, and shall give to the said Ansumarna Jartar copies of any maps so made as aforesaid, and the said landmarks so erected as aforesaid shall be on all occasions referred to for the purpose of determining all disputes which may arise in reference to the said ground or territory hereby intended to be ceded as aforesaid.

3dly. That the said Richard Graves MacDonnell, or the officer administering the Government for the time being of the said British Settlements in the Gambia, may at any time after the signing of this Convention make, or cause to be made, a road, not exceeding 20 yards in breadth, from the ferry at Sarah, opposite the island of St. Mary's, to any part of the said ground or territory hereby intended to be ceded as aforesaid; provided that the said road shall not encroach on any dwelling-house erected in any part of the Combo territory previous to the signing of this Convention.

4thly. That in consideration of the cession of the ground and territory hereby intended to be ceded, the said Richard Graves MacDonnell shall, on behalf of her said Majesty, cause to be paid to the said Ansumarna Jarta and the other owners of the ground

hereby ceded, a sum of 30*l.* sterling British money, and merchandize to the value of 10*l.* more.

5thly. That as a further compensation to the said Ansumarna Jarta, his heirs and successors, an annual custom of 10*l.* sterling shall be paid on the 5th day of January in every year to the said Ansumarna Jarta, or the King of Combo for the time being. And a further sum of 10*l.* sterling shall, on the 5th day of January in every year, be paid to the Headmen of Baccon, the said last-mentioned sum of 10*l.* to be paid to such person or persons as may be duly authorized by the said Headmen of Baccon to receive the same.

6thly. That all customs or rents due to the said Ansumarna Jarta, his heirs or successors, for any land or other property in the ground hereby intended to be ceded, are hereby given, granted, and confirmed to her said Majesty, her heirs and successors, and hereby made payable to the officer administering the Government of the said British Settlements in the Gambia, and that the said officer administering the said Government for the time being, shall pay, or cause to be paid to the said Ansumarna Jarta, his heirs and successors, in lieu of all such rents and customs payable as aforesaid, at the date of the signing of this Convention, an annual sum of 5*l.* sterling.

Given under our hands and seals, at the place and date above written.

(L.S.) RICHARD GRAVES MACDONNELL,  
*Governor and Commander-in-Chief.*

Their  
(L.S.) ✕ ANSUMARNA JARTA, *King of Combo.*  
(L.S.) ✕ MARDY MARIARMA,  
marks.

*Slattee of Yundum.*

[And several other Chiefs and Witnesses.]

(24.)—AGREEMENT *with Fantee Chiefs, called the Poll-Tax Ordinance. Cape Coast Castle, April 19, 1852.*

At a general meeting of the Chiefs and Headmen of the towns and districts upon the Gold Coast, under British protection, held at Cape Coast Castle, on the 19th day of April, 1852, in presence of his Excellency, Major Hill, Governor and Commander-in-Chief, and the Civil and Military Officers of his Government, it was unanimously resolved and agreed upon :

1. THAT this meeting, composed of his Excellency the Governor, his Council, and the Chiefs and Headmen of the countries upon the Gold Coast, under British protection, constitutes itself into a Legislative Assembly, with full powers to

enact such laws as it shall seem fit for the better government of those countries.

2. That this Assembly be recognized by Her Majesty's Government as legally constituted, that it be called the Legislative Assembly of Native Chiefs upon the Gold Coast, that it be presided over by his Excellency the Governor, who shall have the power to assemble, prorogue, and adjourn it at pleasure; and that its enactment, sanctioned and approved of by the Governor, shall immediately become the law of the country, subject to the approval of Her Majesty the Queen, and be held binding upon the whole of the population being under the protection of the British Government.

3. That this Legislative Assembly being thus duly constituted, having taken into consideration the advantages which the Chiefs and natives derive from the protection afforded them by Her Majesty's Government, consider it reasonable and necessary that the natives generally should contribute to the support of the Government by submitting from time to time to pay such taxes as may be determined upon by the majority of the Chiefs assembled in council, with his Excellency the Governor.

4. That it appears to the Chiefs at present assembled in council, that the most productive, the least burthensome, and the most equitable tax which in the present state of the country can be levied, would be a poll-tax upon the gross amount of the population enjoying the protection of the British Government.

5. That entertaining the views here expressed, the Chiefs and Headmen do, for themselves and their people, voluntarily agree to pay annually to the Government the sum of 1s. sterling per head, for every man, woman, and child residing in the districts under British protection.

6. That the collection of this tax be confided to officers appointed by his Excellency the Governor, assisted by the Chiefs, who, in consideration of annual stipends to be paid to them by the Government, agree to give, in their several districts, their cordial assistance and the full weight of their authority in support of this measure, and to aid the taxgatherers in taking a census of the population, and in collecting the tax.

7. That pay-notes specifying the services to be rendered and the amount of pay to be given to each Chief or Headman be immediately granted under the hand and seal of the Governor, payable annually after the collection of the tax, upon certificates given by the taxgatherer of the district that the services specified have been duly performed.

8. That it shall be competent for the taxgatherer to sue any person refusing to pay the tax, before the native Chief of the district, or an English magistrate, as for common debt, and



that the master of a house or head of a family be considered responsible for the whole of the inmates of the house.

9. That any obstruction offered to the gatherer, or assault made upon him in the execution of his duty, shall be punished by a fine or imprisonment, one-half of all such fines to be paid to the Chief of the district or town.

10. That it shall be competent for the taxgatherer and Chief of a district, subject to the approval of the Governor, to make such local arrangements for facilitating the collection of the tax as may be found expedient.

11. That the revenue derived from this tax, after payment of the stipends of the Chiefs, and other expenses attending its collection, be devoted to the public good in the education of the people, in the general improvement and extension of the judicial system, in affording greater facilities of internal communication, increased medical aid, and in such other measures of improvement and utility as the state of the social progress may render necessary, and that the Chiefs be informed of the mode of its application, and entitled to offer such suggestions on this point as they may consider necessary.

12. That a proclamation based upon these resolutions be issued by his Excellency the Governor, to carry them into full effect during this current year, and that such proclamation, issued with the full concurrence of the Legislative Assembly of the native Chiefs upon the Gold Coast, shall have in every respect the force of a law, and be held binding upon the whole of the native population being under the protection of the British Government.

His

✕ GEORGE FYNN AGGERY, *Chief of Cape Coast.*

mark.

[And other native signatures.]

On the part of Her Majesty's Government, I fully recognize the legality of this self-constituted Legislative Assembly of Chiefs, and I approve, sanction, and confirm the whole of the foregoing resolutions.

STEPHEN J. HILL, *Governor.*

Witnesses to the foregoing signatures:

H. W. FIRTH, *Colonial Secretary.*

CAPTAIN BIRD, *Gold Coast Corps.*

LIEUT. ALEXR. BRAVO, *1st W. I. R.*

LIEUT. CHILD, *Gold Coast Corps.*

LIEUT. J. COCHRANE, *Gold Coast Corps.*

LIEUT. ROBERT HORLEY, *Gold Coast Corps.*

JAMES DAVYS, *Assistant-Surgeon, Gold Coast Corps.*

JOHN DE CROFT, *Writer.*

(25.)—TREATY *with the Chiefs of the Kaffu Bulloms. Peace, Commerce, Navigation, Slave Trade, Surrender of Criminals, and Religious Privileges. Freetown, August 26, 1852.*

TREATY concluded between his Excellency Norman William Macdonald, Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and its dependencies, Vice-Admiral, Chancellor, and Ordinary of the same for and in behalf of Her Majesty Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c.; Nain Sugo, the Bey Sherbro or King of the Kaffu Bulloms, for himself and successors, by and with the advice and consent of and in the presence of the old Chiefs and Headmen of the Kaffu Bullom country, by whom he has been elected Bey Sherbro, and who are witnesses hereto in his behalf.

ART. I. There shall be peace between the subjects of the Queen of England and the subjects of the said Nain Sugo, King of the Kaffu Bulloms; and should any difference or dispute accidentally arise between the said Nain Sugo, King of the Kaffu Bulloms, and any other Chief in his dominions, it shall be referred to the Governor of Sierra Leone, and his decision thereon shall be final and binding upon all parties concerned.

II. The persons and property of all British subjects shall be inviolate, and no semo, country law, or custom shall be put in force against them; neither shall they, if aggrieved, have recourse to any semo, country law, or custom; they must lay their grievance before the Government of Sierra Leone.

III. British subjects are strictly prohibited from breaking the country laws, from interfering in any way with the disputes and quarrels of the native Chiefs or their subjects, and from aiding, assisting, countenancing, or supporting them, directly or indirectly, in their wars against each other, either by supplying them with arms, ammunition, or any warlike stores whatever, or with the means of procuring them.

IV. The slave Trade is for ever abolished within the territories of the said King party hereto, and his subjects are hereby prohibited from being engaged in that traffic directly or indirectly.

V. No persons whatever, Europeans or others, are to be permitted to establish themselves within the territories of the said King party hereto for the purpose of carrying on or engaging in the Slave Trade; and the said King hereby empowers the officers and forces of the Queen of England to expel all persons violating this clause from the territories of the said King by force, if need be, and to burn or otherwise destroy their barracons and slave factories, and to seize all boats, canoes, or vessels of any description found engaged either directly in the

Slave Trade, or in aiding and abetting that traffic within the waters belonging to the said King.

VI. The subjects of the Queen of England are hereby guaranteed the right of free and unrestricted legitimate traffic within the territories of the said King; and all rights and privileges heretofore enjoyed by them are hereby recognized and confirmed. They may buy or rent land and houses, which shall not be entered upon without their free will and consent.

VII. All privileges conferred upon the subjects of any foreign State or Power shall be considered as being equally granted to British subjects; and no privileges or rights shall be secured to the subjects of a foreign State without being notified to the Governor of Sierra Leone, in order to such privilege or right being extended to the subjects of Her Majesty.

VIII. Her Majesty may appoint an agent to visit or reside in the territories of the said King for the protection of her subjects and for securing due adherence to the stipulations of this Treaty; and the person and property of such agent shall be inviolate, and he shall receive all honour and protection.

IX. All complaints against British subjects must be made to Her Majesty's agent, if there be one, or to the Governor of Sierra Leone, in either case accompanied by sufficient proof, in order that justice may be impartially done between all parties.

X. The ministers of the Christian religion shall be permitted to reside and exercise their calling within the territories of the said King, and to establish schools for the education and proper training up of the youths of both sexes, and they are to receive all honour and protection.

XI. The roads throughout the territories of the said King shall be kept open; they are not to be removed or shut on any pretext whatever; and all parties, British subjects, native strangers, and others, are to be allowed to travel thereon, to and from the colony of Sierra Leone or elsewhere, free and unmolested.

XII. The canoes and boats of the said king and of his subjects visiting the colony of Sierra Leone for the purposes of trade are placed upon the same footing as the boats and canoes of the colony, and are exempted from all taxes; and the subjects of the said King and their property, while peaceably trading to or residing within the colony, shall receive the fullest protection.

XIII. The bodies of British seamen or other non-resident British subjects who may die within the territories of the said King shall have the right of interment, on payment of 6 dollars to the said King, which sum shall be in full of all burial fees; and all resident British subjects dying within the territories of the said King party to this Treaty shall be interred on payment of the customary tribute or offering, the amount of which shall



be arranged and determined between the friends of the deceased and the King or his representatives. The graves of persons so interred shall be secure from violation.

XIV. The Queen of England shall have the right to demand the surrender of criminals, being British subjects or liberated Africans, or others, residents or inhabitants of Sierra Leone guilty of any crime or offence cognizable by the laws of England, for the purpose of being tried for such offences in such British colony as the Queen of England may think fit to appoint; and the King party to this Treaty hereby binds himself to secure and surrender up all such criminals as aforesaid upon demand being made for them to him by the Governor of Sierra Leone, or by any other competent authority.

XV. All merchandize imported in British vessels within the dominions of the King party to this Treaty shall be exempted from the payment of any duty whatever, and in like manner the productions of the territories of the King party to this Treaty imported into the colony of Sierra Leone shall be (subject to the approval of the Governor and Council of the colony) exempted from all import or other duties.

XVI. In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the King aforesaid and his successors, his Excellency Norman William Macdonald, Captain-General and Governor-in-Chief of the colony of Sierra Leone, agrees for himself and successors, on the part of Her Majesty the Queen of England, to pay or cause to be paid annually to the said King and his successors the customs hereinafter mentioned and set forth, viz., 300 bars.

The above bars to be computed by the scale of bars in the schedule hereunto annexed.

XVII. The amount stipulated to be paid annually to the said King by this Treaty shall be considered a full compensation for the fulfilment of the terms and conditions thereof by the King aforesaid, and shall be in full satisfaction for all charges on British merchant shipping resorting to the waters of the territories of the said King for the purposes of trade, with the free and unrestricted right to wood and water.

XVIII. All expenses incurred by the Governor of Sierra Leone, or by any other person or persons, in consequence of any of the stipulations of this Treaty being broken by the King party hereto or by any of his Chiefs, Headmen, or subjects, shall be charged against the said King, and shall be deducted from any amount of stipend as aforesaid due and accruing to the said King; and in case the said expenses so as aforesaid incurred shall exceed in amount the sum of the annual stipend by Clause XVI of this Treaty agreed to be paid to the said King of the Kaffu Bulloms, then and in such case the annual payment of such stipend shall be withheld from the said King,



and shall be applied to the liquidation of such expenses as aforesaid.

XIX. And whereas a Treaty was on the 29th day of November, in the year of our Lord 1847,\* concluded between the aforesaid Governor of Sierra Leone and the late Bey Sherbro, King of the Kaffu Bulloms, the immediate sovereign predecessor of the present King of the Kaffu Bulloms, party hereto, in Clause XV of which Treaty the said late Bey Sherbro did, for divers good and sufficient reasons therein set forth, cede and transfer to the said Governor, for and on behalf of the Queen of England, the right, title, and sovereignty in and over that portion of his territory extending along the north bank of the River Sierra Leone, from Ro Makbong-boh Creek on the east to Key Polong Creek on the west, and extending inland one quarter of a mile in depth from high-water mark. The said Bey Sherbro, party hereto, doth hereby ratify and confirm for himself, his successors, his Headmen, and Chiefs, the said cession of territory as aforesaid to all intents and purposes for ever, as well as all and singular the several other covenants and stipulations in the said before-recited Treaty contained.

XX. This Treaty shall be forthwith proclaimed according to the usual and solemn country customs on like occasions, and made law throughout the territories of the said King, which territories, for the better maintenance of peace and the avoidance of all causes of differences and disputes, are hereby fixed and declared to be as follows; that is to say, from the Ro Makbong-boh Creek, which runs into the Sierra Leone River to the westward of Tagrin Point on the east to Key Polong Creek, which empties itself into the sea on the west; and from the north bank of the Sierra Leone, lying between the two before-mentioned creeks, northerly to the town of Rokassy, and including within the said boundaries

all roads, footpaths, creeks, and navigable rivers which may exist within the same.

Done in triplicate at Freetown, Sierra Leone, this 26th day of August, in the year of our Lord 1852, and of Her Majesty's reign the 16th.

NORMAN MACDONALD, *Governor.*  
NAIN SUGO (L.S.)

Signed and sealed in the presence of us:

L. SMITH O'CONNOR, *Major Commanding the Troops.*

JOHN M'CORMACK. J. F. SMITH, *Colonial Secretary.*

We, the principal Chiefs, Headmen, and representatives of the principal families of the Kaffu Bulloms country, whose names are hereunto attached, do hereby declare that Nain Sugo, party to the foregoing Treaty, has been duly elected by us, and

\* See page 41.

in accordance with the unanimous choice and voice of the Kaffu Bulloms, to be Bey Sherbro or King of the Kaffu Bulloms. And we do also hereby ratify, for ourselves and successors, as Chiefs and Headmen, all the stipulations and covenants which the said Nain Sugo, as Bey Sherbro, has entered into the foregoing Treaty. And we further pledge ourselves individually and collectively to the same being duly observed and carried into effect.

CAPRA SILLA, and 6 others.

Witnesses: L. SMITH O'CONNOR, and 3 others.

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SCHEDULE.—Scale of 300 bars.—6 pieces of blue baft, 60 bars: 6 pieces of white baft, 60; 6 pieces of satin stripe, 72; 129 lbs. of tobacco, 75; 15 gallons of rum, in 3 jars, 33. Total 300 bars.

NORMAN MACDONALD.

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(26.)—ADDITIONAL ARTICLES *to the Treaty of February 13, 1841,\* with the Chiefs of the Timmanee. Commerce and Surrender of Criminals. Port Lakkoh, May 4, 1853.*

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ADDITIONAL ARTICLES to the Treaty of 13th February, 1841, between Sir John Jeremie, Knight, Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and its dependencies, and the Honourable Robert Hornell, Esquire, the Honourable William Cole, Esquire, and the Honourable William Fergusson, Esquire, Members of the Board of Council of Sierra Leone, in behalf of Her Majesty the Queen of England on the one part, and Alimame Dalu Mohamadoo, Chief of Medina, on the Bullom Shore, Namina Labai, Brimah Kayelle, and Brimah Luke, authorized by the Ali Karlie and assembled Chiefs of the Timmanees in behalf of the Timmanee people on the other part. Signed at Port Lokkoh, 4th May, 1853.

WHEREAS it is expedient to make further additions to the aforesaid Treaty: It is therefore hereby agreed by Joseph Eugene Dillet, Esquire, of the Civil Service of the colony of Sierra Leone and John McCormack, Esquire, Justice of the Peace of the said colony, Commissioners duly authorized and empowered by his Excellency Arthur Edward Kennedy, Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and its dependencies, Vice-Admiral, Chancellor, and Ordinary of the same, for and on behalf of Her Majesty Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., on the one part, and Bey Foki, King of the Bacca Lokkoh territory, Fatima Bramah, Ali Karlie, of Bacca Lokkoh, Namina Lahai, Chief of the San-

\* See Vol. 7. Page 8.

coug family, Ebiro, Chief of the Kano family, Ansumanee Dabo, Kum-ro-Bey, of Bacca Lokkoh, Brimah Kayellie, a Chief of Port Lokkoh, Coor a Bump, a Chief of Port Lokkoh and head of the Barrang family, Bey Simmerah, King of Ma Simmerah, Bey Cobolo, King of Marampa, and Bey Fonti, King of Mendi, on the other part.

ART. I. The Queen of England shall have the right to demand the surrender of criminals or other persons, being British subjects or liberated Africans, or others, resident in Sierra Leone, accused of any crime or offence committed within the colony of Sierra Leone or its dependencies, cognizable by the laws of England, for the purpose of being tried for such offence in Sierra Leone or such British colony as the Queen of England may think fit to appoint; and the Chiefs of the Timmanee country parties to this Treaty hereby bind themselves to secure and surrender all British subjects or liberated Africans, or others resident in Sierra Leone, who may be charged with any crime or offence as aforesaid, upon demand being made for them by his Excellency the Governor of Sierra Leone or any other competent authority.

II. The Queen of England shall have also the right to demand the surrender of criminals or other persons, being British subjects or liberated Africans, or others resident in Sierra Leone, charged with any crime or offence committed within the territories of the Chiefs of the Timmanee country, cognizable by the laws of England for the purpose of being tried for such offence in Sierra Leone or such British colony as the Queen of England may think fit to appoint; and the Chiefs of the Timmanee parties to this Treaty hereby bind themselves to secure and surrender all British subjects or liberated Africans, or others, resident in Sierra Leone, who may be charged with any crime or offence as aforesaid, upon demand being made for them by his Excellency the Governor of Sierra Leone or any other competent authority.

III. English people may buy and sell or hire lands and houses in the Timmanee country, and their houses shall not be entered without their consent, nor shall their goods be seized, nor their persons touched; and if English people are wronged or ill-treated by the people of the Timmanee country, the Chiefs of the Timmanee country shall punish those who wrong or ill-treat the English people.

IV. But English people must not break the laws of the Timmanee country; and when they are accused of breaking the laws, the Chiefs shall send a true account of the matter to the nearest place where there is an English force, and the Commander of such English force shall send for the English person, who shall be tried according to English law, and shall be punished if found guilty.

V If the Timmanee people should take away the property of an English person, the Chief of the Timmanee country shall do all he can to make the Timmanee people restore the property and pay the debt; and if English persons should take away the property of the Timmanee people, or should not pay their just debts to the Timmanee people, the Chiefs shall make known the facts to the Commander of the English force nearest to the Timmanee country, or to the resident agent, if there is one, and the English commander or the agent, whichever it may be, shall do all he can to make the English persons restore the property and pay the debt.

Done at Port Lokkoh, this 4th day of May, in the year of our Lord, 1853, and of Her Majesty's reign the 16th.

J. E. DILLET, *Commissioner.*

JOHN McCORMACK, *Commissioner.*

Witnesses :

BEY FOKI, and 9 other Chiefs.

W. S. McCAULAY. J. E. VICKERS. And 5 Chiefs.

(27.)—ADDITIONAL ARTICLES *to the Treaty of February 13, 1841,\* with the Chiefs of the Timmanee. Port Lokkoh, May 9, 1853.*

SUPPLEMENTAL Clauses to the additional Articles of Treaty with the late Sir John Jeremie and the Timmanee Chiefs, of 13th February, 1841.\* Signed at the Port Lokkoh on the 9th day of May, 1853.

WHEREAS it is expedient that the said additional Articles should be extended to the territories of Ro-Ma-Camma, Ro-Bweeah, Ro-Saffra Koh, and the town of Ro Ballang in Mendi-Ka-Ma-Foki.

ART. I. Be it therefore known that we, the undersigned Chiefs and Headmen of the said districts and town, have this day given our assent and approval to the different clauses of the Treaty above referred to, and the additional or supplemental Articles before recited.

II. In consideration of all the foregoing conditions being strictly adhered to on the part of the Chiefs and Headmen parties hereto, his Excellency Arthur Edward Kennedy, Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and its dependencies, agrees for himself and his successors in office to pay annually to the said Chiefs and Headmen and their successors the sums hereinafter stated, subject to the approval of the Honourable the Board of Council of Sierra Leone and Her Most Gracious Majesty the Queen of Great Britain and Ireland.

In witness whereof the said Contracting Parties have here-

\* See Vol. 7. Page 8.



into set their hands and seals, at the town of Port Lokkoh, on this 9th day of May, in the year of the Christian era 1853, and of Her Majesty's reign the 16th.

J. E. DILLET, *Commissioner*.

JOHN McCORMACK, *Commissioner*.

BEY CAMMA, and 4 other Chiefs.

In the presence of: JOHN BANNAH. And 6 Chiefs.

Sums referred to in Second Clause.—Bey Cumma, 100 bars; Bey Banta, 50; Bey Farima, 50; Namina Maude, 50.

(28.)—ADDITIONAL ARTICLES to the Treaty of November 29, 1847,\* with the King of Locco Marsamma. Commerce and Surrender of Criminals. Freetown, May 12, 1853.

ADDITIONAL Articles to the Treaty of 29th November, 1847,\* between his Excellency Norman William Macdonald, Governor of the colony of Sierra Leone, on behalf of Her Most Gracious Majesty the Queen of Great Britain and Ireland, and Ba Mauro, King of the Locco Marsamma. Signed at Freetown, in the colony of Sierra Leone, 12th day of May, 1853.

WHEREAS it is expedient to make further additions to the aforesaid Treaty: It is therefore hereby agreed between his Excellency Arthur Edward Kennedy, Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and its Dependencies, Vice-Admiral, Chancellor, and Ordinary of the same, on behalf of Her Most Gracious Majesty the Queen of Great Britain and Ireland, and Pa Bomba the successor of the aforesaid Ba Mauro, King of Locco Marsamma.

[Here follow Articles I to V. See Treaty with Timmanees No. 26.]

Done at Freetown, Sierra Leone, this 12th day of May, in the year of our Lord 1853, and of Her Majesty's reign the 16th.

A. E. KENNEDY, *Governor*.

PA BOMBO.

Witnesses: J. F. SMYTH. THOMAS GEO. LAWSON.

We, the principal Chiefs and Headmen of the Locco Marsamma, do hereby acknowledge Pa Bomba to be our lawful head and King, and do hereby also ratify and confirm all that he as King or Chief has done with respect to the foregoing Articles of Treaty; and we do further pledge ourselves to carry the terms of the same into effect. May 12th 1853.

ANSUMANEE CONKO, and 4 other Chiefs.

Witnesses: J. F. SMYTH. THOMAS GEO. LAWSON.

\* See Page 39.

(29.)—CONVENTION *with Combo Cession of Territory.* A  
24, 1853.\*

CONVENTION between His Excellency Luke Smyth O'Connell Esq., Lieutenant-Colonel in Her Majesty's Army, Governor, Commander-in-Chief, and Vice-Admiral of Her Majesty's Settlement upon the River Gambia and Dependencies, Commanding the British Forces on the Western Coast of Africa, and the King Salatti, and the Chiefs of Combo.

WHEREAS disturbances have occurred in the said kingdom of Combo, and continued therein for several years by reason of which the said kingdom, as well as Her Majesty's said settlement, have sustained much injury, and a portion of the said kingdom has been withdrawn from the allegiance of the said King:

And whereas the said King has offered to cede to Her Majesty the Queen of England that portion of his said kingdom of Combo from the mouth of Sabijee Creek in a straight line to a point situate one mile south of Sabijee, and extending to a point situated on the seashore two miles north of the town of Bijulo, and bounded on the other sides by the sea, in consideration of his receiving the aid of the Governor of the said settlement to effect on his behalf a termination of those disturbances at Sabijee:

It is agreed upon as follows:

1st. The King of Combo shall upon a day to be fixed and appointed for that purpose by the said Governor, cede and deliver up to the said Governor, or his accredited agent, for and on behalf of the Queen of England, the aforesaid portion of his territory to hold to her said Majesty, her heirs and successors for ever.

2nd. The peace and amity heretofore existing between the King of Combo and her said Majesty, and the free intercourse between the inhabitants of the said kingdom of Combo and of her said Majesty's settlements shall be continued.

3rd. The King of Combo agrees to afford at all times to the Governor of Her Majesty's settlements, his aid and assistance to secure to her said Majesty the peaceable occupation of the territory to be ceded as aforesaid.

4th. In consideration of the above, the said Governor undertakes to afford his aid to the said King of Combo in bringing the aforesaid disputes and disturbances to a speedy termination.

In witness whereof the aforesaid several parties have hereunto affixed their seals this 24th day of May in the year 1853,

\* Confirmed December 10, 1853.

and the 16th year of the reign of her said Majesty Queen Victoria.

(L.S.) L. SMYTH O'CONNOR, *Lieut.-Colonel, Governor,  
Commander-in-Chief.*

His

✂ SULONG JARTA, *King of Combo.*

mark.

[And several other Chiefs and Witnesses.]

(30.)—PROCLAMATION *by his Excellency Arthur Edward Kennedy, Captain-General and Governor-in-Chief, in and over the colony of Sierra Leone and its dependencies, Vice-Admiral, Chancellor, and Ordinary of the same, &c. Freetown, August 1, 1854.*

A. E. KENNEDY, *Governor.*

WHEREAS certain additional Articles to a Treaty between the Government and certain Chiefs of the Sherbro were concluded with Canrebah Caulker, Harry Tucker, Pierre Charlie, and William E. Tucker, on the 31st day of March, 1853:\*

And whereas certain additional Articles to a Treaty between the Government and the King of Locco Marsamma were concluded on the 12th day of May, 1853;† and whereas certain additional Articles to a Treaty commonly known as Sir John Jeremie's Treaty were concluded with certain Chiefs of Port Lokkoh on the 4th day of May, 1853;‡ and whereas certain supplemental clauses to the last-mentioned additional Articles were also concluded with certain Chiefs of Port Lokkoh on the 9th day of May, 1853;§ and whereas certain additional Articles to a Treaty between this Government and certain Chiefs of the Sherbro were concluded with the Chiefs of Jong and of Barmah on the 9th day of May, 1853:||

And whereas it hath been signified to me by Her Majesty's Principal Secretary of State for the Colonies that her Majesty hath been graciously pleased to ratify the aforesaid Articles and clauses:

Now, therefore, I do hereby publish, proclaim, and make known to all whom it may concern Her Majesty's gracious ratification as aforesaid.

Given at Government House, Fort Thornton, in the city of Freetown, in the colony aforesaid, this 1st day of August, in the year of our Lord 1854, and of Her Majesty's reign the 18th.

By his Excellency's command,

J. F. SMYTH, *Colonial Secretary.*

God save the Queen.

\* See Vol. 9. Page 46.  
§ Page 58.

† See Page 59.  
|| See Vol. 9. Page 46.

‡ See Page 56.

(31.)—TREATY with the King of Barra. *Recognition of King of Barra by Jalia. Gambia, Bathurst, August 2, 1853.*

TREATY made and concluded between Demba-Soonko, King of Barra, and Jalia, one of the subjects of the said Demba-Soonko, at Bathurst, River Gambia, on the 2nd day of August 1853.

Whereas, for many years past, differences have arisen and continued between the said King of Barra and his subject, Jalia, and hostilities have been carried on between them to the damage and injury generally of the Kingdom of Barra, and the subjects thereof: and whereas the parties aforesaid have called upon Luke Smyth O'Connor, Governor and Commander-in-Chief of the British settlement upon the River Gambia and its dependencies, and Vice-Admiral of the same, Lieutenant-Colonel in Her Majesty's army, commanding the troops on the Western Coast of Africa, to settle and determine the aforesaid disputes and differences, and have agreed to abide by the determination therein of the said Governor: now the said King Demba-Soonko, and the said Jalia, agree, in accordance with the opinion and determination of the said Governor, as follows:

The said Jalia agrees to acknowledge the said King to be his King, and King of all the country of Barra, and also to pay him his customary tribute for the lands which he holds under the said King, as his subject, and to hold said lands upon the same conditions as his forefathers did; and the said King Demba-Soonka agrees to accept the said services of Jalia, his subject, and to leave him in undisturbed possession of his lands upon the aforesaid conditions.

L. SMYTH O'CONNOR, *Governor.*  
JALIA.

[And several other Chiefs and Witnesses.]

(32.)—CONVENTION with the King of Barra. *Commerce. Fort Bullen, Barra Point, August 26, 1854.*

CONVENTION made the 26th day of August, 1854, between Luke Smyth O'Connor, Esquire, Governor and Commander-in-Chief of Her Majesty's Settlements on the River Gambia, Vice-Admiral and Ordinary of the same, Lieutenant-Colonel in Her Majesty's army, commanding troops on the Western Coast of Africa, &c., on the one hand, and Demba Soonko, King of Barra, on the other.

Whereas the traders and agents of the merchants residing in Her Majesty's Settlements on the River Gambia, carry on trade and mercantile intercourse with the inhabitants of the



Kingdom of Barra, thereby increasing the benefit and advantage of trade both to the said Settlements and Kingdom, and whereas, for the further increase of those benefits it is expedient that all due protection should be afforded to those traders and agents, it is hereby agreed by the Contracting Parties aforesaid:

ART. I. That all traders entering the Kingdom of Barra for the purpose of trade shall be liable to pay a fixed custom of 3*l.* sterling in cash, for each year during which he carries on trade in the said Kingdom, and which payment shall ensure a free pass for all cattle belonging to them, the said traders and agents.

II. That this Custom shall be paid in the following manner, viz: that each trader shall pay into the Colonial Chest at Bathurst, the aforesaid custom of 3*l.* sterling, for which he will receive from the Colonial Secretary a receipt, which receipt on being delivered to the said King of Barra, or his agents, shall entitle him, the said trader, to carry on trade within the said Kingdom.

III. That on production, by the said King of Barra, or his agent, to the Colonial Secretary, of the aforesaid receipts, on or after the 1st day of July of each year, he shall be entitled to receive for each such receipt, the sum of 3*l.* sterling from the said Secretary.

IV. That all such traders and agents shall, when trading in the said Kingdom, conduct themselves in a peaceable and orderly manner, and shall not engage themselves with any acts or movements within the said Kingdom, by which the King may sustain loss or injury.

V. That in case any trader or agent, who shall have paid the Custom aforesaid, shall be robbed or plundered by the King, or any of his subjects, or other persons on the King's ground, it shall be lawful for the Governor of the Gambia to indemnify such traders or agent to such extent as his Excellency the Governor shall think just and equitable, from the Customs received or to be received under this Convention.

In consideration whereof His Majesty the King of Barra agrees and faithfully promises:

1. To protect the lives and property of all such traders and agents, and to secure them against loss or damage of any kind whatsoever, while trading as aforesaid, in his dominions.

2. That in the event of the misconduct or death of any such trader or agent, the goods in his possession shall not thereupon be seized and sold for the benefit of the King, provided they be not the actual property of such trader or agent, but shall be protected until the proper owners thereof be found, and shall prove his title thereto.

In witness of this Convention the parties aforesaid have

hereunto set their hands, and affixed their seals, at Fort Buller Barra Point, this 26th day of August, 1854.

L. SMYTH O'CONNOR, *Governor*.  
(Signed in Arabic) DEMBA SOONKO, *King Barra*  
[And several other Chiefs and Witnesses.]

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(33.)—TREATY *with the King and Chiefs of Kanabak. Commerce and Navigation. Kanabak, April 19, 1855.*

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BY his Excellency Luke Smyth O'Connor, Governor and Commander-in-Chief of Her Britannic Majesty's Settlements on the River Gambia, Vice-Admiral and Ordinary of the same, Lieutenant-Colonel in the British Army, &c., on the part of Her Majesty Queen Victoria, by the Grace of God of Great Britain and Ireland, Defender of the Faith, and the King and Chiefs of Kanabak and its dependencies on the other part.

ART. I. That all subjects of Her Britannic Majesty, and all vessels under the British flag which shall come to the Island of Kanabak and its dependencies, for the purposes of lawful commerce, shall receive good faith and protection from the King and Chiefs of Kanabak, who shall render every assistance for lawful purposes, and shall not in any manner molest or hinder the said subjects in the pursuit of their lawful trade.

II. In case of any vessel bearing the British flag, or any subject of the Queen of Great Britain being shipwrecked on the Island of Kanabak or its dependencies, that the King and Chiefs of Kanabak shall yield them every protection in their power, and shall use every endeavour to communicate intelligence of such shipwreck to the British resident or agent at the Island of Bulama, or to the Governors of Her Britannic Majesty's Settlements on the River Gambia or at Sierra Leone.

In ratification whereof the said parties to this Treaty have hereunto affixed their hands and seals. Done at Kanabak this 19th day of April, 1855.

L. SMYTH O'CONNOR, *Governor*.  
TESACKA, *King of Kanabak*.  
[And numerous Witnesses.]

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(34.)—CONVENTION *with the King of Sin. Joal-Boor-Sin, January 22, 1856.*

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CONVENTION made the 22nd day of January, 1856, between Luke Smyth O'Connor, Esq., Governor and Commander-in-Chief of Her Majesty's settlements on the River Gambia, Vice-Admiral and Ordinary of the same, Lieutenant-Colonel in Her Majesty's Army, Commanding the Troops, &c., on the one hand, and Bucarie Chillas, King of Sin, on the other.

Whereas the traders and agents of merchants residing in Her Majesty's settlements on the River Gambia carry on trade and mercantile intercourse with the inhabitants of the Kingdom of Sin, thereby increasing the benefit and [advantage of trade both to the said settlement and Kingdom; and whereas for the further increasing those benefits, it is expedient that all due protection should be afforded to those traders and agents, it is hereby agreed by the Contracting Parties aforesaid:

ART. I. That all traders entering the Kingdom of Sin for the purpose of trade shall be liable to pay to the King of that country a fixed custom of                      dollars for each year during which he carries on his trade, and shall not be liable for any other charge or tax whatsoever on behalf of the said King.

II. That all such traders and agents shall, while trading in His Majesty's Kingdom, conduct themselves in a peaceable and orderly manner, and shall not engage or connect themselves with any acts or movements within the Kingdom by which the King may sustain loss or injury, and shall obey and conform to all laws and regulations made by or emanating from the said King.

In consideration whereof His Majesty the King agrees and faithfully promises:—

1. To protect the lives and properties of all such traders and agents, and to secure them against loss or damage of any kind whatsoever while trading as aforesaid within his dominions, and especially shall and will by his orders, and otherwise by all means within His said Majesty's power, protect, assist, and defend all vessels which may be wrecked or stranded on the coast within the dominions of him the said King, the cargo, lives, and property on board, and shall forthwith communicate on the subject with the said Governor or other officer for the time being administering the Government of the British settlements on the River Gambia.

2. That in the event of the misconduct or death of any such trader or agent, the goods in his possession shall not thereupon be seized and sold for the benefit of the King (provided they be not the actual property of such trader or agent), but shall be protected until the proper owner thereof be found, and shall prove his title thereto, and not then, unless such shall be the known country law of the Kingdom of Sin aforesaid, notwithstanding any custom prevailing to the contrary.

In witness of this Convention the parties aforesaid have hereunto set their hands and affixed their seals at Joal-Boor-Sin this 22nd day of January and year first above written.

L. SMYTH O'CONNOR, *Governor.*

BUCARIE CHILLAS.

[And several other Chiefs and Witnesses.]

(35.)—CONVENTION *with Combo, Boorfoot, and Gounjour.—*  
*Peace and Friendship. Bathurst, April 15, 1856.\**

CONVENTION made the 15th day of April, 1856, between Lieutenant Colonel Luke Smyth O'Connor, Companion of the Most Honourable Order of the Bath, Governor, and Commander-in-Chief of Her Majesty's Settlements on the River Gambia, &c., &c., &c., and the undermentioned Chiefs of the Kingdom of Upper and Lower Combo.

AT a Convention held at Bathurst on the 15th day of April in the year of our Lord 1856, between the said Governor and the Kings and Chiefs of Upper and Lower Combo, of Boorfoot, and Gounjour, it was agreed that inasmuch as war and disturbance had for some time past harassed the several towns hereinbefore mentioned, with their dependencies, and caused much damage to the trade and social welfare of the people, the parties hereinbefore mentioned, on behalf of themselves and the several towns which they represent, hereby agree, and mutually promise, in presence and by the sanction of the said Governor, and also in the presence and at the request of Damba Souko, King of Barra, and of Amaroo Talli, Alcade of Jillifree, and Era Camba, Alcade of Beriending, both in the Kingdom of Barra, to maintain henceforth peace and amity towards each other, and that they will jointly and severally combine together to maintain peace, and to compel any one or more of the said towns to observe strictly this Convention to the utmost of their ability.

LUKE SMYTH O'CONNOR, *Colonel, Governor.*

Here follow the signatures of 14 Chiefs in Arabic.

Witnesses:

D. ROBERTSON, *Colonial Secretary.*

A. B. TENTON, *Queen's Advocate.*

M. SOUISSON LEVEY, *Collector of Customs.*

THOMAS CHOWN, *High Sheriff.*

RICHARD PINE, *Clerk of Council.*

WM. B. ROBINSON, *Captain 3rd W. I. Regt.*

I. I. S. FINDER, *Lieut.-Colonel R. G. M.*

P. H. MONSARRAT, *Colonial and Garrison Chaplain.*

(36.)—CONVENTION *with Barra, and various Sonninkee Towns.*  
*Peace and Friendship. Establishment of Peace between them.*  
*April 24, 1856.†*

CONVENTION made this 24th day of April, in the year of our Lord 1856 (in the presence of and with the full approbation, sanction, and approval of his Excellency Daniel Robertson,

\* Confirmed May 16, 1856.

† Confirmed July 21, 1856.



Acting Governor and Commander-in-Chief in and over Her Majesty's Settlements in the River Gambia), between Mansa Colli, King of Mandawar, Mahmaddon Balton, Suma thereof, Amarra N'Yarra, Suma of Birkama, Laming Bojang, Baccarry Bojang, Booraima Sanang, Mahmadi Bojang, Amaro Chang Bojang, Farley Jata Bojang, Laming Banna Bojang, Madit Banna Bojang, Janco Jammi Bojang, Mahmadié Touré, all Headmen of Birkama, and Baccary Bojang, Suma of Perang, and Laming Bojang, Headmen of the same place.

WHEREAS, on the 15th day of April instant,\* a Treaty of Peace and Amity was entered into in the presence of the governor of the said settlements between the representatives of the several towns of Jambour, Gunjoure, Boorfoot, Sabbagee Bijello, Sanang, Baccon, Mandinari Katong, all towns in the kingdom of Combo, in the presence also of the King of Barra, whereby the said towns bound and engaged themselves to the utmost of their power to preserve and maintain peace in the kingdoms of Upper and Lower Combo, between which discord had for a long time existed; and whereas the said towns of Mandawar, Birkama, and Perang are anxious and desirous on their part to enter into a Convention to the like effect; Now, therefore, the said Mansa Colli, King of Mandawar, Mahmaddon Balton, Suma thereof, Amarra N'Yarra, Suma of Birkama, Laming Bojang, Baccarry Bojang, Booraima Sanang, Mahmadi Bojang, Amaro Chang Bojang, Farley Jata Bojang, Laming Banna Bojang, Madit Banna Bojang, Janco Jammi Bojang, Mahmadié Touré, all Headmen of Birkama, and Baccary Bojang, Suma of Perang, and Laming Bojang, Headmen of the same place, representatives of the towns aforesaid, do hereby promise and agree in the presence, with the sanction and approval as well of the said acting Governor as of the said King of Barra, testified by their signing respectively this Convention, not only to abstain from all hostilities, but jointly and severally to the utmost of their power and ability to promote, maintain, and preserve peace in the kingdoms aforesaid.

MANSA COLLI, *King of Mandawar.*

MAHMADON BALTON, *Headman of same.*

AMARRA N'YARRA, *Suma of Birkama.*

And several other Chiefs and witnesses.

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(37.)—TREATY *with the King of Mambolo. Peace, Commerce, Navigation, Slave Trade, Surrender of Criminals, and Religious Privileges. Freetown, December 3, 1856.*

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TREATY between his Excellency Stephen John Hill, Captain-General and Governor-in-Chief in and over the colony of

\* See page 66.

Sierra Leone and its Dependencies, Vice-Admiral, Chancellor, and Ordinary of the same, for and in behalf of Her Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., and Bey Sherbro, King of Mambolo.

[Here follow Articles I to XV. See Treaty with Kaffu Bulloms, No. 25.]

XVI. The King, party to this Treaty, shall receive from each and every British vessel (excepting those of the colony of Sierra Leone) of 25 tons and upwards visiting his territories, the sum of 16 dollars; from each and every decked vessel of above 5 tons and under 25 tons burthen, the sum of 10 dollars, which shall be considered in full for anchorage and waterage dues, with the privilege of taking in wood and water. All British boats and canoes of less than 5 tons burthen shall have free navigation of the river within the territories of the aforesaid King without any change whatever. Provided always, that nothing herein contained shall be construed to extend to ships or vessels passing by the territories of the aforesaid King without remaining for the purposes of trade.

XVII. In further consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the King aforesaid and his successors, his Excellency Stephen John Hill, Captain-General and Governor-in-Chief of the colony of Sierra Leone, agrees, for himself and successors, on the part of Her Majesty the Queen of England, to pay or cause to be paid annually to the said King and his successors the customs hereinafter mentioned and set forth, viz., 200 bars.

The above bars to be computed at the rate of 1s. each.

XVIII. This Treaty shall be proclaimed immediately on its being concluded and signed, and be made law throughout the territories of the said King.

Signed and sealed at Freetown, Sierra Leone, this 3rd day of December, in the year of our Lord 1856, and of Her Majesty's reign the 20th.

STEPHEN J. HILL, *Governor-in-Chief.*

BEY SHERBRO (L.S.), *King of Mambolo.*

In the presence of: J. F. SMYTH.

THOS. GEO. LAWSON. ROB. DAVIS.

(38.)—TREATY *with the Kings and Chiefs of the Timmanee. Peace, Friendship, Commerce, Navigation, Slave Trade, Surrender of Criminals, Privileges, and Religion. Port a Lokkoh, February 27, 1857.*

TREATY between his Excellency Stephen John Hill, Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and its Dependencies, Vice-Admiral, Chancellor,

and Ordinary of the same, for and in behalf of Her Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., and Yan Kobah, Ali Karli of Port a Lokkoh; Bey Foki, ground King of the Port a Lokkoh territory; Alimamy Mommo Sankong Sain Dugu, a Chief of the Sankongs; Namina Lahai Sain Dugu, a Chief of the Sankongs; Brahma Kayellie, a Chief of Sain Dugu, Port a Lokkoh; Santiggey Nonkoh Lahia, a Chief of Port a Lokkoh; Kindo, a Chief of Port a Lokkoh; Suri Conditto, a Chief Port a Lokkoh; Koor-a-Bump, a Chief of Old Port a Lokkoh; Ebiru, Old Port a Lokkoh, Chief of the Kano family; Bey Fonti, King of Mendi; Santiggey Suri Cappa, a Chief of Old Port a Lokkoh; Bey Cammah, King of Ro Ma Cammah; Bey Bantah, King of Ro Beweah; Bey Faramah, King of Ro Saffrakoh; Bey Seccah, King of Ro Debbeah; Brimah Sandah, Chief of Bye Berah Bollontoh; Bey Cobolo, King of Marampah; Pa Suba, Chief of Mabelly, under Bey Cobolo; Ansumana Dabo, a Chief of Mabelly and of Port a Lokkoh; Bey Simerah, King of Ma Simerah; Bey Yolah, King of Ma Yolah, under Bey Simerah; Alimamy Suri Sessie, Chief of Rokelle, under Bey Simerah; Pa Compo, Chief of Ro Kon, under Bey Simerah; Bey Kroo, King of Ma Bang; Sado, a Chief of Port a Lokkoh and of Mabelly; Bey Sherbro, King of Yoni; Bocarry Cealey, Chief of Fory Dugu in Quiah; Alimamy Cooraboh, Chief of Ma Lolum in Bambalee; Massa Packey, Chief of Ma Packey; Alimamy Conti, Chief of Ma Conti, under Bey Simerah; Alimamy Balla Loli Camarah, Chief of Ma Manso, under Bey Cobolo, Chiefs of the Timmanee country.

[Here follow Articles I to XIV. See Treaty with Kaffu Bulloms, No. 25.]

XV. The Queen of England shall have also the right to demand the surrender of criminals or other persons being British subjects or liberated Africans or others resident in Sierra Leone charged with any crime or offence committed within the territories of the Chiefs of the Timmanee country cognizable by the laws of England for the purpose of being tried for such offence in Sierra Leone or such British colony as the Queen of England may think fit to appoint. And the Ali Karli and other Chiefs of the Timmanee country, parties to this Treaty, hereby bind themselves to secure and surrender all British subjects or liberated Africans or others resident in Sierra Leone who may be charged with any crime or offence as aforesaid, upon demand being made for them by his Excellency the Governor of Sierra Leone or any other competent authority.

XVI. All merchandize imported in British vessels within



the Timmanee country, shall be exempted from the payment of any duty whatever, and in like manner the productions of the territories of the said Chiefs parties to this Treaty, and imported into the colony of Sierra Leone, shall be (subject to the approval of the Governor and Council of the said colony) exempt from all import or other duties.

XVII. The practice of making human sacrifices on account of religious or political ceremonies shall cease for ever in the Timmanee country.

XVIII. In further consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the Ali Karli and other Chiefs aforesaid, and their successors, his Excellency Stephen John Hill, Captain-General and Governor-in-Chief of the colony of Sierra Leone, agrees for himself and successors on the part of Her Majesty the Queen of England, to pay or cause to be paid annually to the said Ali Karli and other Chiefs and their successors the customs hereinafter mentioned and set forth, viz.:

Ali Karli, Chief of Port a Lokkoh, 600 bars; Bey Foki, ground King of the Port a Lokkoh territory, 200; Alimamy Mommo Sankong Sain Dugu Port a Lokkoh, Chief of the Sankong family, 300; Namina Lahaia, a Chief of the Sankongs, 300; Brahima Kayellie, a Chief of Sain Dugu, Port a Lokkoh, 100; Santiggey Nonkoh Lahia, a Chief of Port a Lokkoh, 100; Kindo, a Chief of Port a Lokkoh, 100; Suri Conditto, a Chief of Port a Lokkoh, 100; Koor-a-Bump, a Chief of Old Port a Lokkoh, 50; Ebiru, Old Port a Lokkoh, Chief of the Kano family, 100; Bey Fonti, King of Mendi, 100; Santiggey Suri Cappa, a Chief of Old Port a Lokkoh, 50; Bey Cammah, King of Ro Ma Cammah, 100; Bey Bantah, King of Ro Beweah, 50; Bey Faramah, King of Saffrakoh, 50; Bey Seccah, King of Debbeah, 50; Brimah Sandah, Chief of Bye Berah Ma Bollontoh, 100; Bey Cobolo, King of Marampah, 300; Pa Suba, Chief of Mabelly under Bey Cobolo, 100; Ansumana Dabo, a Chief of Mabelly and of Port a Lokkoh, 150; Bey Simerah, King of Ma Simerah, 300; Bey Yolah, King of Ma Yolah under Bey Simerah, 50; Alimamy Suri Cessie, Chief of Rokelle, under Bey Simerah, 100; Pa Compa, Chief of Ro Kon, under Bey Simerah, 50; Bey Kroo, King of Ma Bang, 100; Sado, a Chief of Port a Lokkoh and of Mabelly, 100; Bey Sherbro, King of Yoni, 100; Alimamy Bocarry Cealey, Chief of Fory Dugu in Quiah, 100; Alimamy Cooraboh, Chief of Ma Lolum in Bambalee, 100; Massa Packey, Chief of Ro Ma Packey, 50; Alimamy Conti, Chief of Ma Conti under Bey Simerah, 50; Alimamy Balla Loli Camarah, Chief of Ma Manso under Bey Cobolo, 50.

XIX. This Treaty shall revoke and disannul all previous Treaties made between Her Majesty the Queen of England and the Chiefs and people of the Timmanee country, and shall be pro-



laind immediately on its being concluded and signed, and be made law throughout the territories of the Ali Karli and other Timmanee Chiefs parties hereto.

Signed and sealed at Port a Lokkoh, this 27th day of February, in the year of our Lord 1857, and of Her Majesty's reign the twentieth.

STEPHEN J. HILL, *Governor-in-Chief.*  
BEY FOKI (L.S.)

[Signed by 32 other Kings and Chiefs, enumerated above.]  
Witnesses: CHARLES HEDDLE and 5 others.

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Scale for 100 Bars.—2 pieces of blue baft, 20 bars; 2 pieces of white baft, 20; 2 pieces satin stripe, 24; tobacco, 25; rum 5 gallons and jar, 11. Total, 100 bars.

Scale for 50 Bars.—1 piece of blue baft, 10 bars; 1 piece of white baft, 10; 1 piece satin stripe, 12; tobacco, 12; rum 3 gallons, 6. Total, 50 bars.

Cash instead of goods.

And if the above specified bars or any part of them are to be paid in cash, it is clearly and distinctly understood by each of the Contracting Parties, that it is to be at the rate of 1s. for each bar.

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(39.)—AGREEMENT *with the Chief of Battaré. Navigation.*  
*February 18, 1858.*

KNOW all men that I, Benjamin Campbell, Her Britannic Majesty's Consul for the Bight of Benin, deeming it necessary for the better security and protection of British property, and for the personal safety of the subjects of Her Majesty residing in the Benin river, have, with the advice and consent of Gordon McKay, Esquire, agent for Messrs. Thomas Harrison and Co., and of James Snape, Esquire, agent for Messrs. Charles Horsfall and Sons, all of Liverpool, this day appointed Abrimoney, Chief of Battaré, Governor of that part of the Benin river reaching from Warree Creek to the river's mouth, and protector of the British agents and all other British subjects residing in or visiting the Benin river, and of the property stored at their factories.

And it is hereby agreed and consented to by the said Gordon McKay and James Snape, Esquires, on their behalf, and on the behalf of their successors, that there shall be paid to the said Abrimoney, Chief of Battaré, a comey of 200 pawns for every mast of any vessel loading in the Benin river, or at the anchorage outside the bar, in consideration of such protection to British property and British subjects accorded as aforesaid, which said comey is to be paid before opening trade or discharging cargo.

And the said Abrimoney, Chief of Bättaré, on his part voluntarily, on the above-stated comeys being duly paid to him, undertakes to protect, with all his power and influence the British property deposited in this river on shore or afloat and all the British agents and other subjects of Her Britannic Majesty.

And Benjamin Campbell, Esquire, Her Britannic Majesty's Consul, on his part stipulates that, on its being made known to him, or to his successor, or to the Senior Naval Officer of Her Majesty's naval forces in the Bight of Benin, that the presence of a ship of war in the Benin is necessary to support the said Chief Abrimoney in protecting British property and British subjects against a threatened hostile attack, that a suitable vessel of war shall be sent into the Benin river to support the Chief Abrimoney in protecting British property and British subjects.

The above appointment accepted by Abrimoney, as witness.

(L.S.) ABRIMONEY.

Given under my hand and the seal of my Consulate, on board Her Majesty's steam-vessel "Bloodhound," the 18th day of February, 1858, in the presence of the Commander and officers of that ship.

(L.S.) B. CAMPBELL.

Being present :

C. ROBSON, *Lieutenant and Commander.*

RICHARD ONSLOW, *Mate.*

JOHN T. C. WEBB, *Second Master.*

E. TENISON RYAN, *Assistant-Surgeon.*

J. C. MEAGHER, *Assistant Paymaster in charge.*

GORDON G. MCKAY, *Agent to Messrs. Harrison and Co.*

JAMES S. SNAPE, *Agent to Messrs. Horsfall and Co.*

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(40.)—AGREEMENT *with King Acqua. Abolition of Makoko Custom. Acqua Town, Cameroons, May 19, 1858.*

WE, King Acqua, Prince Dido, John Anguah, Jim Quan, and Eyo, King and Chiefs of Acqua Town, made an agreement this day to abolish our "Makoko" country custom, on condition that the slaves headed by Yellow Acqua, senior, and Yellow Acqua, junior, shall abolish the "Manganga" country custom.

And we, the before-mentioned persons, hereby mutually sign our names as guarantees to the sacred keeping of this agreement.

(L.S.) KING ACQUA.

(L.S.) JIM QUAN.

(L.S.) PRINCE DIDO.

(L.S.) EYO.

(L.S.) JOHN ANGUAH.

(L.S.) YELLOW ACQUA.

(L.S.) YELLOW ACQUA, Junior.

The foregoing Agreement has this day been signed in the presence of us.

Witnesses :	Their
THOS. J. HUTCHINSON.	X F. PINNOCK.
ALFRED SAKER, <i>Missionary.</i>	X BONNY ACQUA.
T. H. JOHNSON.	X LONG TOM ACQUA.
	marks.

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(41.)—TREATY *with the Chiefs of Bompey. Peace, Friendship, and Cession. On board H.M.S. "Trident," off the Bompey River, June 1, 1859.*

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TREATY of Peace between Thomas Theophilus Caulker, Chief of Bompey, and the Timineh Chief Bocary Silly, and the Chiefs of the Bompey, Ribby, and Sherbro countries, parties hereto, friends and allies of the said Thomas Theophilus Caulker, and the Timineh Chief Bocary Silly.

Whereas at the desire of Thomas Theophilus Caulker, Chief of the Bompey, and the Timineh Chief Bocary Silly, and their respective Chiefs and allies, who have consented to put an end to the war which has been carried on between them for some months, and to conclude a Treaty of Peace and Friendship on the terms and conditions hereinafter mentioned:

ART. I. The war is at an end, and there shall be peace and friendship between the said Thomas Theophilus Caulker, his Chiefs and allies, and the Timineh Chief Bocary Silly, his Chiefs and allies, and between each and every of them.

II. The soldiers and war men of every of the said Chiefs shall be withdrawn from every place, fort, or stockade within the territories declared to belong by former Treaties with Great Britain to any other of the said Chiefs; and if this condition be not complied with, the said Chiefs parties hereto consent to aid and assist the force of the Queen of England in taking forcible possession of such places, forts, and stockades, and delivering them over to the parties to whom they belong.

III. The Chiefs parties hereto hereby agree to remain at peace with each other, and to refer any dispute which may arise between them to the Governor of Sierra Leone for the time being, and if any parties hereto shall refuse to refer such dispute to the said Governor, or to abide by his decision, the other Chiefs parties hereto shall unite with the said Governor in punishing them.

IV. The Chiefs parties hereto bind themselves to respect and act up to the terms of all former Treaties which exist between the Sherbro country and Great Britain.

Done on board Her Majesty's ship "Trident" off the Bompey

River, this 1st day of June, in the year of our Lord 1859, and of Her Majesty's reign the 22nd.

F. A. CLOSE, *Commander.*

THOS. THEOPHILUS CAULKER (L.S.)

BOCARY SILLY (signature in Arabic.)

Witnesses to the signature of Bocary Silly :

JOHN MCCORMACK. THOS. GEO. LAWSON.

RATIFICATION of a Treaty made this 24th day of June, A.D. 1859, Between Alexander Bey Cantah, King of the Quia country, in the Ribby, Pa Capra, Pa Comba, Sattan Soorie, Pa Booboo Cotie, Pa Mangée Limney, and Rabbee Botie, principal Chiefs in the Quia country, of the one part, and his Honour Alexander Fitzjames, Acting Governor of Sierra Leone, on the behalf of Her Majesty the Queen, of the other part.

Whereas a Treaty, bearing date on board Her Majesty's ship "Trident," off the Bompey River, on the 1st day of June instant, between Thomas Theophilus Caulker, Chief of Bompey, and the Timmanee Chief Bocary Silly, and the other Chiefs of the Bompey, Ribby, and Sherbro countries, friends and allies of the said Thomas Theophilus Caulker, and the Timmanee Chief Bocary Silly, to establish peace in the Bompey, Ribby, and Sherbro countries :

And whereas Bocary Silly was authorized by the said parties hereto of the first part to execute the said Treaty on their behalf, and it is necessary that the said Treaty should be ratified.

Now, therefore, the said parties hereto of the first part do hereby solemnly ratify, confirm, and adopt the said Treaty in all its parts.

In witness whereof the said parties hereto have hereunto set their hands and seals the day and year first above written.

ALEXANDER BEY CANTAH (L.S.)

And 7 other Chiefs.

A. FITZJAMES, *Acting Governor.*

Signed, sealed, and delivered in our presence :

JOHN MCCORMACK and 3 others.

(42.)—AGREEMENT *with the Chiefs of the Cameroons River. Human Sacrifices. Hulk "Alexander Grant," Cameroons River, July 8, 1859.*

AN Agreement is this day entered into between Thomas Joseph Hutchinson, Her Britannic Majesty's Consul for the Bight of Biafra, in behalf of Her Gracious Majesty Queen Victoria on the one part, and the Chiefs of the Cameroons, in behalf of themselves and their people, on the other part.

That for the future the conditions of an Agreement made and



signed on the 11th of May, 1842, between Captain William Allen, R.N., a Commissioner of the Niger Expedition of 1841-42, and Acqua as well as Bell, the "two Chiefs of Dualla," be considered, as it was then declared, "to stand for ever."

That is to say, all human sacrifices for pagan worship, or for other circumstances or customs, be from this day henceforward entirely disused and abolished.

In confirmation of this Agreement we hereby affix our signatures and marks.

(L.S.) THOMAS HUTCHINSON, *H.M.'s Consul.*

Their

✂ BONNY BELL.

✂ JOSSE.

Their

✂ PRIESO BELL.

✂ KING ACQUA.

Witnesses : marks.

marks.

H. BAKINGTON. J. B. BOWERBANK.

ROBT. A. TAYLOR. ALEX. GRANT.

On further serious consideration it is likewise agreed to :

That in case any disputes arise between Headmen of any towns, on no occasion shall arms be used in event of arbitration failing to settle such palaver.

Furthermore, that should disputes arise between the Chief or people of one town or towns and those of another or other towns, the disputants shall request the supercargoes of the ship contiguous to the beach of said disputants to call a meeting to arbitrate on their disputes. It is also agreed that in case of friendly arbitration of this kind amongst white and black men failing to bring matters to an amicable termination, that the final settlement be referred to Her Britannic Majesty's Consul at Fernando Po.

Their

✂ PRIESO BELL.

✂ JOSSE.

Their

✂ BONNY BELL.

✂ KING ACQUA.

Witnesses : marks.

marks.

H. BAKINGTON. J. B. BOWERBANK.

ROBT. A. TAYLOR. ALEX. GRANT.

(43.)—TREATY with the King or Chief of Lokkoh Massammah. *Peace, Commerce, Navigation, Slave Trade, Surrender of Criminals, and Religious Privileges.* Preetown, 7  
Ro Bancy, 15 April, 1860.

TREATY between his Excellency Alexander Fitzjames, Acting Governor of the colony of Sierra Leone, for and on behalf of Her Majesty Queen Victoria, of Great Britain and Ireland, &c., and Bey Mauro, King or Chief of Lokkoh Massammah, Bey Sherbro, King or Chief of Kaffwe Bullom, Amarah Adam, Chief of Madina, and Ansumana Konkoh, a Chief of the Lokkoh Massammah, Alimamy Sadoo Camarah, a principal Chief of Port

a Lokkoh, Prince Kindoo, also a principal Chief of Port a Lokkoh, for themselves, their adherents, headmen, and successors, and for the people of Port a Lokkoh, and Fendah Sannasee, the present recognized Chief of the Dalu Modoc family, his headmen, adherents, and successors.

Whereas a war has unhappily been carried on for a considerable time between the Chiefs parties hereto, and, desirous of putting an end to its calamities, they have applied to the Governor of Sierra Leone to interfere for that purpose, and to advance to them the sum of 45*l.* 15*s.* 5*d.* to effect the same, which amount the Government of Sierra Leone have this day advanced, and the parties hereto have thereupon agreed upon the following Articles.

[Here follow Articles I to III. See Treaty with Kaffu Bulloms, No. 25.]

IV. The Slave Trade is for ever abolished within the territories of the said Chiefs parties hereto, and their subjects are hereby prohibited from being engaged in that traffic either directly or indirectly, and if any liberated African being in the territory of any of the said Chiefs shall be engaged directly or indirectly in that traffic, he shall be liable to be tried and punished therefor according to the laws of England.

[Here follow Articles V to XIV. See Treaty with Kaffu Bulloms, No. 25.]

XV. The Queen of England shall have the right to demand the surrender of all criminals who, being convicted of any crime or offence in any part of her dominions, may be found in the territories of the said Chiefs, and also the surrender of all British subjects or liberated Africans accused or charged with any crime or offence cognizable by the laws of England, committed within the territories of the said Chiefs, or elsewhere, and found within the territories of the said Chiefs, for the purpose of being punished or tried for such crime or offence in Sierra Leone, or such other place as the Queen of England has already appointed or may hereafter appoint for that purpose; and the Chiefs, parties hereto, bind themselves and their successors to secure and surrender all such criminals, British subjects, and liberated Africans so convicted, accused, or charged as aforesaid, upon demand made for them by the Governor of Sierra Leone, or any other competent authority.

XVI. All merchandize imported in British vessels within the territories of the said Chiefs shall be exempted from the payment of any duty whatever, and in like manner the productions of the territories of the said Chiefs, parties to this Treaty, imported into the colony of Sierra Leone shall be (subject to the approval of the Governor and Council of the said colony) exempt from all import or other duties.

XVII. The practice of making human sacrifices on account

of religious or political ceremonies shall cease for ever in the territories of the said Chiefs.

XVIII. This Treaty shall be proclaimed immediately on its being concluded and signed, and be made law throughout the territories of the Chiefs, parties hereto.

Signed and sealed at Government House, Freetown, this 7th day of April, in the year of our Lord 1860, and of Her Majesty's reign the 23rd, by Alexander Fitzjames, Acting Governor.

A. FITZJAMES, *Acting Governor.*

Witnesses to the signature of Alexander Fitzjames, Acting Governor:

GEO. W. NICOL.

ROWLAND DAVIES.

Signed and sealed at Ro Baney, this 15th day of April, in the year of our Lord 1860, and of Her Majesty's reign the 23rd.

	<b>Their</b>	
(L.S.)	✕	BEY MAURO.
(L.S.)	✕	BEY SHERBRO.
(L.S.)	✕	AMARA ADAM.
(L.S.)	✕	ANSUMANA KONKOH.
(L.S.)	✕	DURA MOUDO.
(L.S.)	✕	KINDO BANCOORAH, by BOOBOO BANCOORAH.
(L.S.)	✕	BOOBOO BANCOORAH.
(L.S.)	✕	NONKOH LAHIE, by BOCARRY PEPPEY.
	<b>marks.</b>	
(L.S.)		SADOO CAMARAH (signed in Arabic).
		FENDA SANNASEE MODOO (signed in Arabic).
		CEEREY MOUDO (signed in Arabic).

Witnesses to the above signatures and marks:

JOHN MCCORMACK, and 3 others.

Received from the Governor of Sierra Leone the sum of 45*l* 15*s*. 5*d*. mentioned in the within Treaty.

BEY MAURO (L.S.)

SADOO CAMARAH (signed in Arabic).

Witnesses to signature and mark:

JAMES COLE. THOMAS C. SMART.

(44.)—DECLARATION of the King of Akedo. Attack on the Steamers "Sunbeam" and "Rainbow." "Bloodhound," Akedo, River Niger, November 24, 1860.

LACHHA, King of Akedo, declares that neither he nor any of his people were concerned in the firing upon the steamers "Sunbeam" and "Rainbow" in 1859; and he and his son Palisoria

promise to trade with the factories, and will not attempt to obstruct the vessels or boats in any way.

As witness their hands:

Their

✕ LACHHA, *King of Aked*

✕ PALISORIA.

Witnesses:

marks.

F. W. BENNETT, *Lieutenant-Commander, R.N.*

J. B. WALKER, *Agent of the Expedition.*

(45.)—AGREEMENT *with Angiana. Slave Trade, Commerce, and Navigation. Angiana, November 27, 1860.*

F. W. BENNETT, Esq., Lieutenant and Commander of Her Majesty's ship "Bloodhound," on the part of Her Majesty the Queen of England, and King Ndawa and the Chiefs of Angiana on the part of themselves and their country, have agreed to the following Articles and conditions:

ART. I. The export of slaves to foreign countries is for ever abolished in Angiana.

II. The factory about to be erected, and the goods stored therein, together with the white and coloured men left in charge, are to be protected by the King and Chiefs, and the vessels employed in navigating the river are not to be molested in any way.

King Ndawa and his Chiefs are distinctly to understand that if they in any way hurt or rob the factory-vessels or traders they will be severely punished by the English Government.

The ground for the erection of houses and for the storing of casks and goods is to be granted free of all charges, and is to be considered, whilst in the occupation of any British subject, as British property; and the occupant for the time being is authorized by the parties hereto subscribing to expel trespassers, and to maintain his right of occupancy, and to defend himself and property against any unlawful aggression.

In faith of which we have hereunto set our hands and seals, at Angiana, this 27th day of November, 1860.

His

(L.S.) ✕ KING NDAWA, *for himself and his Chief.*

mark.

(L.S.) FRANCIS W. BENNETT, *Lieut.-Commander, H.M.S. "Bloodhound," and acting for H.M.'s Consul.*

The foregoing Treaty was signed, sealed, and delivered in our presence:

W. M. LOURICK, *2nd Master.*

J. B. WALKER, *Agent of the Expedition.*

MOONDLA, *Chief of Opuhpusana.*

BAGOK, *King Ndawa's Son.*



(46.)—AGREEMENT with *Creek Town, Old Calabar. Substitutionary Punishments. January 18, 1861.*

WE, the Undersigned King and Chiefs of Creek Town, Old Calabar, hereby engage with John Laughland, Her Britannic Majesty's Acting Consul for the Bight of Biafra, on behalf of Her Britannic Majesty's Government, to abolish without delay in the territory under our care, the old practice of inflicting punishment on the innocent in room of the guilty, and to use our influence to effect the abolition of the practice in the whole region of Old Calabar.

Dated this 18th day of January, 1861.

Their	Their
✕ KING EYO HONESTY III.	✕ TOM EYO.
✕ KING CAMEROONS.	✕ JOHN EYO.
✕ EKPENYONG OKU.	✕ HOGAN BASSY.
✕ ESIEN AMBO.	✕ SAMUEL AMBO.
✕ ANTIKA AMBO.	✕ ANSA EYO.
marks.	marks.

(L.S.) JNO. LAUGHLAND, *H.B.M.'s Acting Consul.*

Witnesses:

H. R. WRATISLAW, *Commander H.M.S. "Ranger."*

WM. ANDERSON, *Missionary.*

ARCHIBALD HEWAN, *Medical Missionary.*

(47.)—TREATY with *Baddiboo. Peace.\* Off Suwarra, 26 February, 1861.*

BETWEEN His Excellency George A. K. D'Arcy, Governor and Commander-in-Chief in and over the Colony of Bathurst, in the River Gambia and its Dependencies of the same, for and on behalf of Her Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., and his Majesty the King of Baddiboo.

ART. I. THERE shall be peace between the subjects of the Queen of England and the subjects of the said King of Baddiboo, and should any difference or dispute accidentally arise between the said King or Chief and any other Chief in his dominions, it shall be referred to the Governor of Bathurst, and his decision hereon shall be final and binding upon all parties concerned.

II. All complaints against British subjects must be made to Her Majesty's agent, if there be one, or to the Governor of Bathurst; in either case accompanied by sufficient proof, in order that justice may be impartially done between all parties.

III. That the King of Baddiboo pays at once to the Governor of Bathurst 100*l.* sterling, or the value thereof in ground nuts, to Mr. Chown, merchant at Bathurst.

\* Confirmed April 13, 1861.

IV. That the King pays at once to the Governor of Bathurst 400 head of cattle, and 15,000 trade measures of nuts.

V. That the King of Baddiboo leaves in the Governor's charge, as a material guarantee for the faithful execution of this Treaty, two or more of his most influential men; viz., the King's uncle, Sumar.

THE CHIEF OF INDEAR.

Signed and sealed on board Her Majesty's ship "Torch," at Suwarra, Cunda Creek, this 26th day of February, in the year of our Lord 1861, and of Her Majesty's reign the 25th.

On the part of British,

W. EDMONSTONE, *Commodore.*

STEPHEN J. HILL, *Governor of Sierra Leone.*

And several other signatures.

On the part of Baddiboo,

JOCARDOS. <sup>His</sup>  
mark.

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(48.)—TREATY with Quiah. *Cession. Sierra Leone, April 2, 1861.*

BETWEEN his Excellency Colonel Stephen John Hill, C.B., Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and its Dependencies, and Vice-Admiral thereof, for and on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland of the one part; and Alexander Bey Cantah, King of the Quiah Country, Nain Bannah, Bocarry Silly, Pa Mangee Ropee, Tom Needle, Pa Booboo, Soorie Coochee, Pa Savage, Dick London, John Mingo, Boom Warrah, Mangee Calemney, Cessey Queah, Pa Buenda, Rhuniah Booley, and Pa Sinney, Chiefs and Headmen of the Quiah Country, of the other part.

WHEREAS disputes have arisen between the Governor of Sierra Leone and Alexander Bey Cantah and the Chiefs and Headmen above mentioned in consequence of attacks made by their war-men upon British subjects, and upon the Island of Tombo, a dependency of this Colony, and to punish which outrages the Governor of Sierra Leone had organized an expedition, but Alexander Bey Cantah and the Chiefs and Headmen above mentioned having sued for peace, the Contracting Parties have agreed upon the following Articles:

ART. I. King Alexander Bey Cantah and the Chiefs and Headmen above mentioned do hereby cede, surrender, give over, and transfer from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, the full, entire, free, and unlimited right, possession, dominion, and sovereignty in and over all that piece or portion of the Quiah country, measuring 10 miles in width, from Waterloo and Calmunt Creeks to the Quiah River or Creek, and 16 miles in length from the river Sierra Leone to the Ribbie River or there-

abouts, and bounded on the west by Waterloo Creek and Calmunt Creek; on the east by the Quiah River or Creek (which empties itself into the Rokelle River at Ro Benkeah), by the creek known as Ma Sungoh Creek, and by a direct line running from the head of the southern branch of the said Quiah River or Creek, to the head of the said Ma Sungoh Creek; on the north by the Sierra Leone River; and on the south by the river Ribbie or Dibbie round to the entrance of Calmunt Creek, together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, sea-coasts, shores, creeks, and inlets, fishing and other revenues, and maritime claims, and all privileges appertaining to the same, which portion of the Quiah land hereby ceded shall henceforth be annexed to and be a dependency of this Colony, and be subject to the laws now in force and hereafter to be in force in this Colony.

II. Her Majesty the Queen of Great Britain and Ireland, in consideration of the cession hereby made of the above portion of the Quiah country, agrees to pay unto Alexander Bey Cantah, King of Quiah, his successor and successors, the sum of 2,000 bars, or 100*l.* yearly and every year.

III. Her Majesty the Queen of Great Britain and Ireland hereby guarantees to the native inhabitants of the portion of the Quiah country hereby ceded, the full, entire, and free possession of the lands they now hold, in the same manner as the other inhabitants of the Colony.

IV. The towns of Ro Bagah, and Ro Baney, in their present dimensions, are excepted from the cession of the portion of the Quiah land hereby made.

V. This Treaty shall be proclaimed immediately on its being concluded and signed, and be made law throughout the territories of Alexander Bey Cantah, and the Chiefs and Headmen above mentioned. In witness whereof the Contracting Parties have signed the same, and have affixed their seals thereto.

Done at Sierra Leone, the 2nd day of April, in the year of our Lord 1861.

(L.S.) STEPHEN J. HILL, *Governor-in-Chief.*

Their

✕ (L.S.) ALEXANEER BEY CANTAH, *King of the Quiah country.*

Their

✕ (L.S.) NAIN BANNAH.

(L.S.) BOCARRY SILLY,  
(Signed in Arabic).

✕ (L.S.) PA MANGEE ROPEE.

✕ (L.S.) TOM NEEDLE.

✕ (L.S.) PA BOOBOO.

✕ (L.S.) SOORIE COOCHEE.

✕ (L.S.) PA SAVAGE.

✕ (L.S.) DICK LONDON.

✕ (L.S.) JOHN MINGO.

✕ (L.S.) BOOM WARRAH.

✕ (L.S.) MANGEE CALEMNEY.

✕ (L.S.) CESSEY QUEAH.

✕ (L.S.) PA BUENDA.

✕ (L.S.) RHUNIAH BOOLEY.

✕ (L.S.) PA SINNEY.

marks.

marks.

Witnesses to the signatures :

JOHN CARR, *Chief-Justice.*

E. H. SIERRA LEONE.

A. FITZJAMES, *Queen's Advocate.*

GEO. W. NICOL, *Colonial Secretary.*

CHAS. HEDDLE, }  
ROBT. BRADSHAW, } *Members of Council.*

JOHN M'CORMACK.

(49.)—TREATY *with Baddiboo. Peace, Friendship, Commerce and Slave Trade. August, 1861.\**

PREAMBLE.—Referring to a Treaty of Peace under date the 26th of February, 1861,† between the Queen of Great Britain and the King of Baddiboo, it is severally agreed by Colonel d'Arcy, Governor of the Gambia, on the part of Her Majesty, and His Majesty the King of Baddiboo, that on the Hostages being restored to the King of Baddiboo, his Majesty agrees to the following terms :

Whereas the traders and agents of the merchants residing in Her Majesty's Settlements on the River Gambia carry on trade and mercantile intercourse with the inhabitants of the kingdom of Baddiboo, thereby increasing the benefit and advantage of trade both to the said settlements and kingdom ; and whereas for the future increase of those benefits it is expedient that all due protection should be afforded to those traders and agents, it is hereby agreed by the contracting parties aforesaid :

ART. I. That the King of Baddiboo shall receive every New Year's Day, 600 dollars from the Governor of the Gambia in lieu of all customs and charges on British and French traders, excepting on the 1st of January, 1862, when he shall receive 300 dollars, the current year being half expired.

II. That all vessels hoisting the British or French flag appearing in Baddiboo waters, on producing a receipt from the Colonial Secretary, be considered free and safe to trade in the kingdom of Baddiboo.

III. That all such traders and agents shall, when trading in the said kingdom, conduct themselves in a peaceable and orderly manner, and shall not engage themselves with any acts or movements within the said kingdom by which the King may sustain loss or injury.

IV. That in case any trader or agent who shall have produced the receipt aforesaid shall be robbed or plundered by the King, or any of his subjects or other persons on the King's

\* Confirmed December 5, 1861.

† See page 79.



ground, it shall be lawful for the Governor of the Gambia to indemnify such trader or agent to such extent as his Excellency the Governor shall think just and equitable from the Customs yearly to be paid under this Treaty.

V. In consideration whereof his Majesty the King of Baddiboo agrees, and faithfully promises:—First, to protect the lives and property of all such traders and agents, and to secure them against loss or damage of any kind whatsoever while trading as aforesaid in his dominions: Secondly, that in the event of the misconduct or death of any such trader or agent, the goods in his possession shall not thereupon be seized and sold for the benefit of the King, but shall be protected until the proper owner thereof be found, and shall prove his title thereto.

VI. And it is agreed that no persons of whatever colour, or wherever born, shall be taken out of the Baddiboo country as slaves, and no persons in the Baddiboo country shall be in any way concerned in seizing, keeping, carrying, or sending away any persons, for the purpose of being taken out of the Baddiboo country as slaves, and the King of Baddiboo will punish severely all who break this law.

VII. English and French people may freely come into the country of Baddiboo, and may stay in it or pass through it, and they shall be treated as friends while in it, and shall receive any supplies there as they may require and pay for, and shall not be harmed nor troubled on that account, and they may leave the country when they please.

VIII. The peace and amity heretofore existing between the King of Baddiboo and Her Majesty the Queen of England, and the free intercourse between the inhabitants of the said kingdom of Baddiboo and of Her said Majesty's settlements, shall be continued.

IX. That all subjects of Her Britannic Majesty, and all vessels under the British or French flag, which shall come to the kingdom of Baddiboo and its dependencies, for the purposes of lawful commerce, shall receive good faith and protection from the King and Chiefs of Baddiboo, who shall render every assistance for lawful purpose, and shall not in any manner molest or hinder the said subjects in the pursuit of their lawful trade.

X. In case of any vessel bearing the British or French flag, or any subject of the Queen of Great Britain being shipwrecked, or his ship burnt in the waters adjacent to the kingdom of Baddiboo, or its dependencies, that the King and Chiefs of Baddiboo shall yield them every protection in their power, and shall use every endeavour to communicate intelligence of such shipwreck or loss to the British resident or agent at the nearest English port, or to the Governor of Her Britannic Majesty's settlements on the River Gambia.

XI. Should any dispute or difference arise between the European traders and the subjects of the King of Baddiboo, must be referred to the Governor of the Gambia, and in all cases the evidences must accompany the complainants, in order that the Governor may administer justice impartially between the contending parties.

XII. That in the full moon of December, the King of Baddiboo, accompanied by the Chief of Jocardo, pays the Governor of the Gambia a visit at Bathurst, the better to cement the friendship between the Kings of Barra and Baddiboo, the Governor of the Gambia and the Chief of Jocardo; on this occasion the Queen of England will order the Governor of the Gambia to bestow fitting and proper presents on these King and Chief.

XIII. That the King of Baddiboo and his Headmen do severally sign these Articles on the holy book the Koran before the hostages Sumar and the Chief of Indear are set free

KING OF BADDIBOO..	JONG BANNA.
SARGO SEERA.	BARRA SAMBO.
BOORAN BANNA.	COLLY SOONTOO.

(50.)—AGREEMENT of *Chiefs of Aghwey to keep the Peace with Little Popoe. Aghwey, October 14, 1861.*

I PROMISE to fight no more with the people of Little Popoe, except, suppose they come attack my town, then I drive them away; no more. Suppose they make peace palaver, I make peace palaver.

CHIEF QUACHIE.	MRS. ILLEWAY.
CHIEF LARTURY.	CHIEF DADOREY.
CHIEF PHILIP.	QUEEN KOOMIE.

Witnesses:

W. D. M. DOLBEN, *Lieutenant and Commander.*

J. W. JAMES, *Assistant-Surgeon.*

F. W. HAMPSHIRE, *Engineer in charge.*

(51.)—AGREEMENT with *Abbeokuta. Slave Trade, Human Sacrifices, and Trade with Lagos. Abbeokuta, November 7, 1861.*

IN consequence of the representation of Commander Norman B. Bedingfeld, R.N., Senior Officer of the Bights Division of Her Majesty's ships, the Alake and Chiefs of Abbeokuta express their regret that there should have been occasion for the complaint of their want of faith in keeping the Treaty made between them and Her Majesty's Government by Commander Forbes, in 1852.

They now solemnly declare that the 3 Articles mentioned below, and to which they have now affixed their names, shall be strictly enforced for the future, and be at once made public:

ART. I. With a view of strictly enforcing Article I of the above-mentioned Treaty, the Alake and Chiefs hereby promise to stop the road leading to Okeodou, and other places by which slaves are sent to the coast for exportation, against such export, as far as it is in their power; and they will also punish severely any of their own people against whom it can be proved that they have broken this law.

II. The Alake and Chiefs also solemnly declare that now and after this date, no human being shall be sacrificed, either by them, their people, or others, inside or outside the walls of the town, or anywhere else in their territory.

III. It having been fully explained to the Alake and Chiefs by Commander Bedingfeld the injury caused to legal commerce by shutting the road between Lagos and Abbeokuta, out of friendship to the Queen of England they are willing to promise that that road shall never again be stopped on any pretext whatever, without the consent and approval of Her Majesty's Government at Lagos; provided always, that when it is deemed expedient to prevent the Egbas from going to Lagos, the merchants must provide themselves with canoe-men from that place.

Signed at the King's Palace, this 7th day of November, 1861.

THE ALAKE.  
LEMO. TPOCU.

APESE KEMETA.  
APISE ERUNOON.

OKOLOMO.

NORMAN B. BEDINGFELD, *Commander, R.N.,  
Senior Officer for the Bights Division of Her  
Majesty's Ships.*

RICHD. F. BURTON, *Captain, Her Britannic  
Majesty's Consul, Fernando Po.*

HENRY EALES, *Surgeon, H.M.S. "Prometheus."*

Witnesses to the above signatures:

DAVID WILLIAMS. S. WILLIAMS, *Interpreter.*

52.—TREATY with Bagroo. *Cession. Bendoo, November 9, 1861.*

BETWEEN his Excellency Colonel Stephen John Hill, C.B., Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and its Dependencies, and Vice-Admiral thereof, for and on behalf of Her Majesty the Queen of Great Britain and Ireland of the one part; and Se Loko, King of the Bagroo, So Manika, So Kaka, So Hoony, Mannah Fellah, Mamadoo Coorammah, Pier Indao, Queah

Baom, Sasie Kembey, Sessie Woor, Fuoy, Ba Mema, & Kam, Kallifa Ben, *alias* Ba Cote, and Bundunkah, Chiefs Bagroo, Mana Bagroo and Belley, of the other part.

Whereas the said Se Loko, King of Bagroo, and the Chiefs and Headmen aforesaid, are desirous that that portion of the Sherbro country called Bagroo, Mana Bagroo, and Belley, should be ceded, surrendered, given over, and transferred from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors :

The said Se Loko, King of Bagroo, and the Chiefs and Headmen aforesaid, do hereby cede, surrender, give over, and transfer from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, the full entire, free, and unlimited right, possession, dominion, and sovereignty in and over that piece or portion of Sherbro called Bagroo, and Mana Bagroo and Belley, extending from the Yal Tucker River on the north to the Bagroo and Balley rivers on the south, and extending about 30 miles inland from Sherbro River, which bounds it on the west ; together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, sea-coasts, shores, creeks, and inlets, fishing and other revenues, and maritime claims and all privileges appertaining to the same, which portion of the Sherbro country hereby ceded shall henceforth be annexed to and be a dependency of this Colony, and be subject to the laws now in force and hereafter to be in force in this Colony.

This Treaty shall be proclaimed immediately on its being concluded and signed, and be made law throughout the territories of the Sherbro country and the Chiefs and Headmen above mentioned.

In witness whereof the Contracting Parties have signed the same and have affixed their seals thereto.

Done at Bendoo, this 9th day of November, in the year of our Lord 1861, and in the 25th year of the reign of Her Majesty Queen Victoria.

Their	(L.S.) STEPHEN J. HILL, <i>Governor.</i>
✕ SE LOKO, <i>King of the Bagroo.</i>	(L.S.)
✕ SO MANIKA, <i>Chief of Tasso in Bagroo.</i>	(L.S.)
✕ SO KAKA, <i>Chief in Bagroo.</i>	(L.S.)
✕ SO HOONY, <i>Chief of Bagroo.</i>	(L.S.)
✕ MANNAH FELLEH (signed in Arabic), <i>Chief of Belley.</i>	(L.S.)
✕ MAMADOO COORAMMAH, <i>Chief of Belley.</i>	(L.S.)
✕ PIER INDAO, <i>Chief of Mana Bagroo.</i>	(L.S.)
✕ QUEAH BAOM, <i>Chief of Mana Bagroo.</i>	(L.S.)
✕ SASIE KEMBAY, <i>Headman of Belugt.</i>	(L.S.)
✕ SESSIE WOOR, <i>Chief of Little Mungary Big Boom.</i>	(L.S.)
✕ FOUY, <i>Lady of Mana Bagroo.</i>	(L.S.)

marks.



Their

- ✕ BA MEMA, *a Gentleman of Mana Bagroo.* (L.S.)
- ✕ SO KAM, *Chief of Imperay.* (L.S.)
- ✕ KALLIFA BEN, *alias BA COTE, Chief of Imperay.* (L.S.)
- ✕ BUNDUNKAH, *War Captain Bargroo.* (L.S.)

marks.

Signed, sealed, and agreed to in our presence this 9th day of November, 1861.

ROBT. BRADSHAW, *Member of Council.*

J. H. SMITH, *Commander of H.M.S. "Torch."*

JOHN McCORMACK.

C. J. FENNELL, *Asst. Surgeon, H.M.S. "Torch."*

A. WHIFFIN, *Asst. Paymr. in charge of H.M.S. "Torch."*

J. W. JARRATT, *Master's Asst., H.M.S. "Torch."*

WM. B. JOLLY, *Merchant.*

JOHN S. BROOKS.

W. L. DUPIGNY.

THOS. GEO. LAWSON, *Govt. Messenger and Interpreter.*

### 13.—TREATY with Sherbro. *Cession. Bendoo, November 9, 1861.*

BETWEEN his Excellency Colonel Stephen John Hill, C.B., Captain General and Governor-in-Chief in and over the Colony of Sierra Leone and its Dependencies, and Vice Admiral thereof, for and on behalf of Her Majesty the Queen of Great Britain and Ireland of the one part; and Banah Boom, King of Sherbro, Yah Bye, Bah-tick, Lamfembah, Sessie Vendah, Thomas C. Taylor, Sessie Boom, Banah Yomah, Sobrokeh, Yah Banka, Banah Yamah, Chiefs of the Sherbro and Turtle Islands, of the other part.

Whereas the said Banah Boom, King of Shey or Sherbro country and the Chiefs and Headmen aforesaid, are desirous that that portion of the Shey or Sherbro Islands should be ceded, surrendered, given over, and transferred from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors:

The said Banah Boom and the Chiefs and Headmen aforesaid do hereby cede, surrender, give over, and transfer from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, the full, entire, free, and unlimited right, possession, dominion, and sovereignty, in and over that piece or portion of Sherbro country commonly known as the Turtle and Sherbro Islands, viz., on the west from the southernmost and westernmost island commonly called and known by the name of the Turtle Islands called Hoom, round to the south-east by Moote, Foto, Kellebagey, Shey, Yelle-a-Byah, and all the other islands commonly known as the Turtle

Islands, together with the whole of the island known among the natives as the Island of Shey, or Sherbro Island, together with all the islands and creeks belonging to the same, together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, sea-coasts, shores, creeks, and inlets, fishing and other revenues, and maritime claims, and all privileges appertaining to the same, which portion of the Shey or Sherbro Islands hereby ceded shall henceforth be annexed to and be a dependency of this Colony, and be subject to the laws now in force, and hereafter to be in force in this Colony.

This Treaty shall be proclaimed immediately on its being concluded and signed, and be made law throughout the territories of Banah Boom, King of Shey or Sherbro Island, and the Chiefs and Headmen above mentioned.

In witness whereof the Contracting Parties have signed the same, and have affixed their seals thereto.

Done at Bendoo, this 9th day of November, in the year of our Lord, 1861, in the 25th year of the reign of Her Majesty Queen Victoria.

Their	(L.S.) STEPHEN J. HILL, <i>Governor.</i>
✕	BANAH BOOM, <i>King of Sherbro.</i> (L.S.)
✕	YAH BYE, <i>a Lady of Sherbro Island.</i> (L.S.)
✕	BAH-TICK, <i>Chief of Sherbro.</i> (L.S.)
✕	LAMFEMBAH. (L.S.)
✕	SESSIE VENDAH, <i>Chief of Sherbro Island.</i> (L.S.)
✕	THOS. C. TAYLOR, <i>Chief of Sherbro Island.</i> (L.S.)
✕	SESSIE BOOM. (L.S.)
✕	BANAH YOMAH, <i>Chief of Toomann.</i> (L.S.)
✕	SOBROKEH, <i>Chief of Sherbro Island.</i> (L.S.)
✕	YAH BANKA, <i>a Lady of Sherbro Island.</i> (L.S.)
✕	BANAH YAMAH, <i>Chief of the Turtle Islands.</i> (L.S.)

marks.

Signed, sealed, and agreed to in our presence this 9th day of November, 1861.

ROBT. BRADSHAW, *Member of Council.*

J. H. SMITH, *Commander, H.M.S. "Torch."*

JOHN McCORMACK.

WM. B. JOLLY, *Merchant.*

JOHN S. BROOKS.

W. L. DUPIGNY.

WM. MEHEUX.

THOS. GEO. LAWSON, *Govt. Messenger and Interpreter.*

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(54.)—TREATY with Bendoo. *Session.* Bendoo, November 9, 1861.

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BETWEEN his Excellency Colonel Stephen John Hill, C.B., Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and its Dependencies, and Vice-Admiral

thereof, for and on behalf of Her Majesty the Queen of Great Britain and Ireland of the one part; and Thomas Stephen Caulker, Principal Chief of Bendoo, Stephen George Caulker, Stephen Renner Caulker, Konkah, Keffue Lango, Lahi Sherrifo, Beeah Will, Seipha, Bilmoh Homacheen, So Kong, Beeah Boom, Beeah Castahagh, Pier Yanga Fannah, Banah Boom Yoni, and Seri Boom, Chiefs of Bendoo, and Bey Kellie, King of Mokelli or Enkelli, and Sai Hammah, King of the Jong Country, of the other part.

Whereas the said Thomas Stephen Caulker and the Chiefs and Headmen aforesaid are desirous that that portion of the Sherbro country called Bendo and Chah, situated at the mouth of the Boom, Kittam, and Jong Rivers, should be ceded, surrendered, given over, and transferred, from henceforth for ever, unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors:

The said Thomas Stephen Caulker and the Chiefs and Headmen aforesaid do hereby cede, surrender, give over, and transfer from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, the full, entire, free, and unlimited right, possession, dominion, sovereignty, in and over that piece or portion of the Sherbro country called Bendoo and Chah, bounded on the north and west by the Sherbro Estuary, and the Jong River from Harry Tucker's Island to Parrots' Point, being a distance of about 15 miles; on the north and east by the Paypan branch of the Jong River and the Bayamoh River from Parrots' Point to the confluence of the Canuwoh Creek and Bayamoh River, distance about 13 miles; on the south and east by the Canuwoh Creek to its source, thence by a line to the source of the Fanemah Creek, and by said creek to the Boom Kittam River, distance about 18 miles; and on the south and west by the Boom Kittam River from Fanemah Creek to Harry Tucker's Island, the place first started from, distance about 13 miles, together with all the islands thereunto belonging, together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, sea-coasts, shores, creeks, and inlets, fishing and other revenues, and maritime claims, and all privileges appertaining to the same, which portion of the Sherbro country hereby ceded shall henceforth be annexed to and be a dependency of this colony, and be subject to the laws now in force, and hereafter to be in force in this colony.

This Treaty shall be proclaimed immediately on its being concluded and signed, and be made law throughout the territories of Thomas Stephen Caulker, and the Chiefs and Headmen above-mentioned.

In witness whereof the said Contracting Parties have signed the same, and have affixed their seals thereto.

Done at Bendoo, this 9th day of November, in the year of

our Lord 1861, and in the 25th year of the reign of Her Majesty Queen Victoria.

Their (L.S.) STEPHEN J. HILL, *Governor.*  
 THOS. S. CAULKER, *Principal Chief of Bendoo.* (L.S.)  
 STEHN. GEO. CAULKER. (L.S.)  
 STEPHEN R. CAULKER, *a Chief of Bendoo.* (L.S.)  
 ✕ KONKAH, *a Chief of Bendoo.* (L.S.)  
 ✕ KEFFUE LANGO. (L.S.)  
 LAHI SHERRIFO (signed in Arabic). (L.S.)  
 ✕ BEEAH WILL. (L.S.)  
 ✕ SEIPHA. (L.S.)  
 ✕ BILMOH HOMACHEEN. (L.S.)  
 ✕ SO KONG. (L.S.)  
 ✕ BEEAH BOOM. (L.S.)  
 ✕ BEEAH CASTAHEGH. (L.S.)  
 ✕ PIER YANGA FANNAH. (L.S.)  
 ✕ BANAH BOOM YONI. (L.S.)  
 ✕ SERI BOOM. (L.S.)  
 ✕ BEY KELLI, *King of Mokelli or Enkelli.* (L.S.)  
 ✕ SAI HAMMAH, *King of the Jong Country, by La Farry,*  
 marks. *the King's mouth of the Jong Country.* (L.S.)

Signed, sealed, and agreed to in our presence this 9th day of November, 1861.

ROBT. BRADSHAW, *Member of Council.*

J. H. SMITH, *Commander of H.M.S. "Torch."*

JOHN McCORMACK.

C. J. FENNELL, *Asst. Surgeon of H.M.S. "Torch."*

A. WHIFFIN, *Asst. Paymr. in Charge of H.M.S. "Torch."*

FREDK. W. JARRATT, *Master's Asst., H.M.S. "Torch."*

WM. B. JOLLY, *Merchant.*

JOHN S. BROOKS. W. L. DUPIGNY.

WILLIAM THOMAS. THOS. ASH. PETERS.

THOS. GEO. LAWSON, *Gort. Messenger and Interpreter.*

MAMADO SHERRIFO (signed in Arabic).

KELLIFAH CAMARAH (signed in Arabic), *Chief of Malageh.*

His

✕ BANAH YEOMAH, *Chief of Turtle Islands.*

mark.

THOMAS C. TAYLOR.

(55.)—ADDITIONAL ARTICLE *with Chiefs of the Camerons.*  
*Human Sacrifices. December 13, 1861.*

AND it is hereby further agreed between King Prieso Bell, King Bonny Bell, and King Acqua, of the Cameroon River, and Richard F. Burton, &c.

That the practice of murder for reprisals, or according to the barbarous and inhuman custom of the country, on any pretence whatever, shall henceforth be abolished and cease for ever; and



in the event of such murder taking place, the Chief of the party or town offending shall, if convicted of participation in the crime, be subjected to confinement on board one of Her Majesty's ships, or to transportation to Fernando Po.

And this Agreement shall stand for ever.

RICHD. F. BURTON. W. D. M. DOLBEN.

BONNY BELL. KING ACQUA.

PRIESO BELL.

Witnesses :

JOHN LILLEY.

JOHN BOWERBANK.

R. LAYTER.

P. McCULLOCH.

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(56.)—TERMS of *Peace with the King and Chiefs of Quiah.*  
*Freetown, February 1, 1862.*

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1. ALL stockades or war fences must be pulled down.
2. The Queen's right to British Quiah must be fully acknowledged, agreeably to the Treaty.
3. All persons who may not wish to live under and render obedience to British law must leave the Queen's land in Quiah.
4. Those settlers who may remain in British Quiah must not build towns or houses in any place without the consent of this Government.
5. All those who wish to remain under obedience to British rule and law shall be protected.
6. Kabannah Burreh, or Songo, and his people, are under the protection of British laws, and any person or persons offering violence to himself or any of his people will be considered enemies to the Government of the Queen.
7. To avoid any further disputes, the King Alexander Bey Cantah should not reside in British Quiah, but live in some other part of his dominions; his towns Robaga and Robany, having been taken by British troops, now belong to the colony of Sierra Leone.
8. The King and Chiefs of Quiah must, with Pa Cainey, give to Mr. Jolly any property of his in their possession; his large canoe must be restored, and his contractors and their property are to be respected in future; arrangement must be made to repay his losses.
9. All prisoners taken by the King and Chiefs of Quiah, including two Waterloo boys, must be released, and the Queen's forces will give up all their prisoners.
10. British Quiah forming part of the colony of Sierra Leone, all the laws of the colony will be in force there.
11. Bocary Masambah must at once leave British Quiah.
12. Momoh Sancho's people having taken an active part in the war, must leave British Quiah.
13. Bocary Bombaly must give up 5 Lokoh men and women seized in British territory.

14. All country customs and sacrifices must for ever cease in British Quiah.

15. All persons residing in British Quiah must come to the manager at Waterloo to lodge any complaint they may have to make; none must presume to take the law into their own hands.

16. The King will not receive the stipend allowed him by treaty until the expenses of the war are made good.

Government House, Sierra Leone, STEPHEN J. HILL, *Governor.*

24 January, 1862.

We, the undersigned King, Chiefs, and Headmen of Quiah, having begged for peace, agree to all the terms proposed by the Governor of Sierra Leone; and we promise for ourselves and on behalf of our people, that we will faithfully abstain from any hostile act against the Government of Sierra Leone, and should any of our people be guilty of any act of aggression on British territory, we will deliver them up to be dealt with according to the laws of the Colony. We also promise to protect all British subjects that visit, or reside, or trade in our own country, and should any British subject break any country law, we will send him to the Governor of Sierra Leone for trial and punishment.

Given under our hands and seals at Freetown, Sierra Leone, this 1st day of February, 1862.

(L.S.) ALEXANDER BEY CANTAH, *King of Quiah.*

<p>Their</p> <p>✕ NAING BANNAH. (L.S.)</p> <p>✕ BOTIE. (L.S.)</p> <p>✕ PA DICK. (L.S.)</p> <p>SOURIE CAROBOE (signed in Arabic). (L.S.)</p> <p>✕ MINGO. (L.S.)</p> <p>✕ PA ANSUMANNAH. (L.S.)</p> <p>LAHIE BUND00 (signed in Arabic). (L.S.)</p> <p>✕ SERIE CAMBAH. (L.S.)</p> <p>marks.</p>	<p>Their</p> <p>✕ MANGIE BOPEE. (L.S.)</p> <p>✕ SATTAN SOURIE. (L.S.)</p> <p>✕ SOURIE COCHEE. (L.S.)</p> <p>✕ SOCKOH DUNSIE. (L.S.)</p> <p>marks.</p>
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Witnesses to marks and signatures:  
KINDO BAN CURAH (signed in Arabic).

His  
✕ NONKOH LAHIE.  
mark.

SOURIE CONDITO (signed in Arabic).  
ALIMAMEE FENDA SANNASEE (signed in Arabic).

<p>His ✕ BEY BANTAH. mark.</p>	<p>His ✕ BEY FARIMAH, <i>by</i> PA MANSIE. mark.</p>
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<p>RICHABD J. FISHER.</p> <p>WM. QUIN.</p> <p>JOHN EZZIDIO.</p> <p>S. M. CANTOR.</p> <p>THOS. ASH. PETERS.</p> <p>JAMES WILLIAMS.</p> <p>THOS. GEO. LAWSON,</p>	<p>JOHN H. EVANS.</p> <p>T. ROSENBUSH.</p> <p>NATHL. NATHAN.</p> <p>WM. O'C. PRATT.</p> <p>W. H. RANDALL.</p> <p>R. W. HARTSHORN, <i>Colonial Chaplain.</i></p> <p><i>Government Interpreter.</i></p>
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(57.)—ADDITIONAL ARTICLE to the *Treaty of Cession of the Island of Lagos to the British Crown, of 6th August, 1861.\**  
February 18, 1862.

KING DOCEMO, having understood the foregoing Treaty, perfectly agrees to all the conditions thereof; and with regard to Article III consents to receive as a pension, to be continued during his lifetime, the sum of 1,200 (twelve hundred) bags of cowries per annum, as equal to his net revenue; and I, the undersigned representative of Her Majesty, agree on the part of Her Majesty to guarantee to the said King Docemo an annual pension of (1,200) twelve hundred bags of cowries for his lifetime, unless he, Docemo, should break any of the Articles of the Treaty, in which case his pension will be forfeited. The pension shall commence from the 1st of July of the present year, 1862, from which day he, the King, resigns all claim upon all former farmers of the revenue.

His

✕ (L.S.) DOCEMO, *King of Lagos.*  
mark.

HENRY STANHOPE FREEMAN, *Governor.*

We, the Undersigned, witness that the above Treaty and ratification was explained to King Docemo, in our presence, and in our presence was signed by him, and by Henry Stanhope Freeman, Esq., as representative of Her Majesty the Queen of England, on this the 18th day of February, in the year of our Lord 1862.

JOHN H. GLOVER, *Lieutenant, R.N.*

SAMUEL CROWTHER.

J. C. THOMAS, *Secretary to the King Docemo.*

S. B. WILLIAMS, *British Interpreter.*

(58.)—AGREEMENT with *Dikolo Town, Bimbia River. Outrages on Missionaries.* February 28, 1862.

MOKUNDO, popularly known as Dick Merchant, Chief of Dikolo Town, Bimbia River, and 4 of his principal Chiefs, consented, on the 28th of February, 1862, to the following 4 Articles, proposed to them, at their town of Dikolo, by Richard Francis Burton, Her Britannic Majesty's Consul for the Bights of Biafra and Fernando Po:

ART. I. Dick Merchant and his Chiefs hereby agree to abstain from the outrages lately committed on the missionaries.

II. Dick Merchant and his Chiefs hereby agree to pay within a reasonable time the bullocks, sheep, goats, &c., stolen from the missionaries.

III. Dick Merchant and his Chiefs agree to make the most ample apology for the insult offered to us.

\* See Vol. XI. P. 41.

IV. Dick Merchant and his Chiefs agree to pay a fine of 12 goats, or an equivalent, to be paid within an hour.

RICHD. F. BURTON, *H.M.'s Consul, Fernando Po.*

J. LAISNE PERRY, *Commander, H.M.S. "Griffon."*

Their	×	DICK MERCHANT.	Their	×	YOUNG MERCHANT.
	×	SAMPSON DICK.		×	SCOTT DICK.
	×	GEORGE DICK.	marks.		
marks,					

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(59.)—AGREEMENT *between the British and other Supercargoes and the Native Traders of Old Calabar. Old Calabar River, May 5, 1862.*

AT a meeting of the British and other supercargoes and native traders resident at Old Calabar, held on board Her Britannic Majesty's steam-vessel "Griffon," Commander Perry, the following code of bye-laws and agreements, subject to such modifications or additions as may be sanctioned by Her Britannic Majesty's Consul, for the better regulation of trading matters between the parties hereunto subscribed, was unanimously agreed to, and sanctioned by Richard Francis Burton, Esquire, Her Britannic Majesty's Consul for the Bight of Biafra and the Island of Fernando Po:

ART. I. That an Equity Court be established in the Old Calabar country to keep in their integrity the following bye-laws and regulations, and that the court shall consist of all the supercargoes, a corresponding number of the chief traders of the locality being admitted at each meeting to hear the decisions of the court, but the Kings alone shall have a vote in the proceedings.

II. That a majority of voters at each meeting have the deciding power on any subject brought before the court, the chairman's vote being equal to two.

III. That this body have a monthly sitting, unless in special cases, when it may be summoned at any time; that a supercargo, each in his turn, according to seniority, be elected chairman for a month; and that a report of each meeting be forwarded to Her Britannic Majesty's Consul at Fernando Po.

IV. That a court-house be erected at the joint expense of the supercargoes now trading in the river, on the ground where Whitehall once stood, to be under the protection of Her Britannic Majesty's Consul, the aforesaid ground having been granted to Her Britannic Majesty's Consul for that purpose by the late King Duke Ephraim.

V. That any one member of this court have the power to appeal against its decisions to the Consul, and until his next visit or communication all action of judgment be suspended,



and if, on examining this appeal, it be found frivolous or invalid, the appellants are to be fined at the discretion of the court.

VI. That this court shall apply the fines levied by it to the expense of the erection of the court-house, and keeping it in order, or otherwise, as the court may think expedient; that the fines of palm oil be sold by public auction.

VII. That any supercargo or native after receiving a formal notice to appear at the court, and failing to attend at the time fixed for meeting shall have half-an-hour's grace allowed, and if not present at the expiration of that time shall be considered as refusing to attend, and shall be fined at the discretion of the court, unless he can produce satisfactory reasons for such non-appearance, in defiance of the rules of the court.

VIII. That any native refusing to pay any fine that may be inflicted by this court shall be stopped from going on board any ship in the river, either for trade or any other purpose; and any supercargo refusing to pay a fine shall be denied the privileges of the Equity Court.

IX. That all comeys be paid to the Kings, or other recognized authorities at the time, of Duke and Creek Towns, one-half to each town as arranged on board Her Majesty's ship "Alecto," by Commander Raby; the comey to be paid at the rate of 20 coppers per registered ton, and no further claim is allowed to any person whatever beyond this.

X. That all comey be tendered on the arrival of a vessel in the river, without any breakfast or ceremony of any kind, and if not accepted, the supercargo may commence trade immediately. The said comey to be paid, in cargo, by said ship, when subsequently demanded.

XI. That comey having been paid or tendered, no hindrance shall be offered to the obtaining of wood and water for any ship's use.

XII. That the ground given as a site for a cask-house to any supercargo shall be paid for in the case of hulks at the rate of one hogshead of rum and 300 kroos of salt per annum, and in the case of sea-going ships consigned to a supercargo who has no permanent hulk, then the same goods shall be paid for each ship loading with country produce in this river.

XIII. After the comey has been paid or tendered to the Kings or recognized authorities, every person desirous of disposing of any country produce in any quantities whatever to the shipping shall be at liberty to do so in his own name without hindrance or molestation from any one.

XIV. That in the event of any trader making an agreement to take goods from any ship at a certain rate, all such agreements shall be perfectly binding; and in the case of the goods not being paid for by the specified time, such goods may be sold for what they will bring, and any loss sustained thereon

shall be made good, at the instance of the court, by the defaulting trader to the supercargo with whom the agreement has been made.

XV. That no trust whatever be given to any native trader after date hereof; and it is hereby distinctly understood and agreed to, that no claims whatever for any trust given to any native after date of this shall be allowed to be brought before this court as claims; but if any supercargo shall hereafter give trust, he does so on his own responsibility.

XVI. That in the case of already existing debts, it is hereby agreed that in order to obtain all such outstanding trust given prior to this date, any supercargo can summon before this court any debtor or his guarantee, and upon such debt being proven, a time for payment shall be fixed by the court, and if within that time the debt has not been paid up, then a notice shall be given to the Kings, or any other recognized authority, demanding such debtor to be delivered up to the court until his debt be paid; and should a debtor not be delivered up according to notice, the court shall consider the expediency of stopping trade, or adopting such measures as may ensure compliance with their demand: and further, in order as far as possible to do away with trust, it is agreed that no trade casks shall from this time be given out as heretofore, except for the obtaining of a debt already existing, and subject to the same rule as a debt.

XVII. That for the protection of the shipping, and in order to facilitate the adjustment of disputes or quarrels arising between supercargoes and natives, it is agreed that such matters be in the first instance referred to the court, and if upon investigation it be found impossible to adjust such matter peaceably, then the court shall refer it to the Consul, and while awaiting his decision the contending parties shall be bound to keep the peace in such sums as the court may think fit to decree, according to the circumstances of the parties implicated: and further, all disputes between white men and natives shall be without prejudice to the shipping, all parties agreeing to abide by the decision of the Consul.

XVIII. That if at any time after the usual comeys has been paid or tendered any supercargo can prove that the trade of his ship has been stopped by blowing "egbo," or by other means, direct or indirect, upon any pretence whatever, then the Kings, or recognized authorities for the time, are to be held responsible for such stoppage, and shall pay one puncheon of good palm oil per day for every 100 tons registered tonnage to said ship as compensation for loss incurred. The said oil to be paid at such time and in such manner as may be directed by the Consul.

XIX. That property on shore in cask-houses shall be strictly inviolate, and the Kings, or recognized authorities, shall prohibit their subjects from entering any cask-house, unless by

written authority from the white trader to whom the cask-house belongs.

XX. That a legally qualified pilot shall be paid at the rate of one copper per registered ton for bringing up any vessel, and the same for taking her out to sea; but unless a legal certificate be presented by a pilot, signed by Her Britannic Majesty's Consul, it shall not be allowed that the native authorities can claim any pilotage whatever. But it shall be lawful for a certificated pilot to claim one-half the foregoing pilotage when he shall not have been sent for, or his services demanded.

XXI. That a ship being ready to proceed to sea, or having sent for a pilot to bring her up the river, the pilot shall proceed on board without delay, under pain of forfeiture of his pilotage, and any further penalty which may be adjudged by Her Britannic Majesty's Consul.

XXII. That it shall be unlawful to blow "egbo" under any pretence on persons, premises, or property of any British subjects resident on shore.

XXIII. That the Kings and Chiefs of Old Calabar pledge themselves that no British subject shall from this time be defamed on shore, or maltreated in any way or under any pretence; and if the Kings or Chiefs do so, they will incur the displeasure of Her Majesty the Queen of England, and be declared enemies of Great Britain, and the men-of-war will, upon such complaint being made to them, immediately come to Calabar River to protect British subjects.

XXIV. That these laws be considered the existing laws between British supercargoes and the native traders at Old Calabar, and all former codes shall be by these abolished relating to trade.

Ratified under my hand and seal, on board Her Majesty's steam-ship "Griffon," in the Old Calabar River, this 5th day of May, 1862.

RICHD. F. BURTON, *H.B.M.'s Consul, Fernando Po.*

J. LAISNE PERRY, *Commander, H.M.S. "Griffon."*

WM. HEARN, *Coronet.*

W. DONALDSON, *Parramatta.*

ROBERT MCGOWAN, *Cressy.*

WILLIAM ROY, *Araminta.*

IRVINE and INGLIS, *Orozimbo.*

JAN SANSE, *Eendragt.*

J. HAMERTON GREENWOOD, *Elizabeth.*

KING ARCHIBONG II. *of Duke Town.*

[Signed by 17 Chiefs.]



(60.)—BYE-LAWS *for the better regulation of trading matters between the Supercargoes and Native Traders of the River Cameroons, passed at a meeting held on board Her Majesty's steam-vessel "Griffon," and sanctioned by Richard Francis Burton, Esq., Her British Majesty's Consul for the Bight of Biafra and the Island of Fernando Po.—River Cameroons, May 19, 1862.*

ART. I. That an Equity Court be established in the River Cameroons to keep in their integrity the following bye-laws and regulations, and that the court shall consist of all the supercargoes, a corresponding number of the chief traders of the locality being admitted at each meeting to hear the decision of the court; but the 4 Chiefs, viz., King Bell, King Acqua, Prèso Bell, and Charley Dido, alone shall have a vote in the proceedings.

II. That a majority of votes at each meeting have the deciding power on any subject brought before the court.

III. That this body have a monthly sitting, unless in special cases, when it may be summoned at any time. That a supercargo, each in his turn, according to seniority, be elected chairman for a month; and that a report of each meeting be forwarded to Her Britannic Majesty's Consul at Fernando Po.

IV. That a court-house be erected at the joint expense of the supercargoes now trading in the river, to be under the protection of Her Britannic Majesty's Consul.

V. That any one member of this court have the power to appeal against its decisions to the Consul, and, until his next visit or communication, all action of judgment be suspended.

VI. That any supercargo or native after receiving a formal notice to appear at the court, and failing to attend at the time fixed for meeting, shall have half-an-hour's grace allowed, and if not present at the expiration of that time, shall be considered as refusing to attend, and shall be fined at the discretion of the court, unless he can produce satisfactory reasons for such non-appearance in defiance of the order of the court.

VII. That any native refusing to pay any fine that may be inflicted by this court shall be stopped from going on board any ships in the river, either for trade or any other purpose; and any supercargo refusing to pay a fine shall be denied the privilege of the Equity Court.

VIII. That all palavers shall be considered as settled up to this date, and cannot be again brought forward to the detriment of trade.

IX. That any vessel coming into the river for the purpose of trade shall pay to the King or Headman of the town at which he may choose to anchor, the amount of 10 original crews for every hundred tons of the vessel's register; in special cases, or those of resident agents, their comeys to be according



as they may arrange it, annually or otherwise, with the King or Headman of the town at which their cask-houses are situated; and under no pretence shall any other King or Headman demand any comey or dash whatever from such vessel; and, also, the said King or Headman to supply the said ship with a suitable cask-house on payment of 5 crews.

X. That after the usual payment to the King or Headman for the use of the cask-house, if any agent or supercargo can prove that his cask-house has been illegally entered or broken into, and any property stolen therefrom by any of the natives, the said King or Headman to be held responsible for the loss.

XI. That any King, Chief, or trader attempting or threatening to stop the trade of any vessel or supercargo, after the usual comey has been tendered for the privilege of trading, such King, Chief, or trader shall, at a meeting of the supercargoes, be summoned before the court to account for such stoppage, and, if found guilty of illegal obstruction, shall be punished to such an extent as may be agreed upon.

XII. That any person acting as pilot shall receive as compensation the value of one original crew for every 3 feet of the vessel's draught.

XIII. That whereas several boats have been frequently stopped and taken from alongside ships, and British subjects detained and maltreated, any aggression committed either on property or persons shall be visited by immediate punishment to the parties so offending, a special court called for the occasion, and the heaviest punishment inflicted allowed by the laws.

XIV. All intentionally watered and fermenting oil offered for sale to be forfeited; and all casks manufactured for fraudulent purposes to be forfeited with the contents.

XV. That for the protection of the shipping, and in order to facilitate the adjustment of disputes or quarrels arising between supercargoes and natives, it is agreed that all such matters be, in the first instance, referred to the court, and if, upon investigation, it be found impossible to adjust such matter peaceably, then the court shall refer it to the Consul, and, while awaiting his decision, the contending parties shall be bound to keep the peace in such terms as the court may think fit to decree, according to the circumstances of the parties implicated; and further, all disputes between white men and natives shall be without prejudice to the shipping; all parties agreeing to abide by the decision of the Consul.

XVI.\* That it shall be unlawful to "blow egbo" under any pretence, on persons, premises, or property, of any British subjects resident on shore.

XVII. That the Kings and Chiefs of Cameroons pledge themselves that no British subject shall from this time, be

\* This Article cancelled.

detained on shore, or maltreated in any way, or under any pretence; and if the Kings or Chiefs do so, they will incur the displeasure of Her Majesty the Queen of England, and be declared enemies of Great Britain; and the men-of-war will, upon such complaints being made to them, immediately come to Cameroons River to protect British subjects.

XVIII. That any native after taking trust from any supercargo or agent, and not working satisfactorily, or having no intention to pay the same, can be summoned before the court; and, upon such debt being proven, a time for payment shall be fixed by the court, and if within that time the debt has not been paid up, such debtor shall, at the discretion of the court, be stopped from going on board the ships for any other purpose than to pay his debts.

XIX. That these laws be considered the existing laws between British supercargoes and the native traders at Cameroons, and all former codes shall be by them abolished relating to trade.

Given under our hands, on board Her Britannic Majesty's steam-vessel "Griffon," in the River Cameroons, this 19th day of May, 1862.

RICHD. F. BURTON, *H.B.M.'s Consul for the Bight of Biafra and the Island of Fernando Po.*

J. LAISNE PERRY, *Commander R.N., H.M.S., "Griffon."*

W. H. ASHMALL, *"Sir John Falstaff."*

W. BABINGTON, *"Moselle," Messrs. K. and W. King.*

JOHN B. BOWERBANK, *Agent to Messrs. Hatton and Cookson.*

ROBT. A. TAYLOR, *"Alex. Grant."*

ISAAC GRAYSON, *"Commerce."*

JOHN LILLEY, *Factory "Moodordoo."*

JOHN DURING.

J. T. DECKER.

ISAAC L. CLEMENES.

ROBERT G. JOHNSON.

Their

✕ JOSEPH TAYLOR.

✕ PRESO BELL.

✕ KING BELL.

marks.

Their

✕ WILLIAM TAMBER.

✕ KING ACQUA.


marks.

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(61.)—DECLARATION of Palma and Leckie. Cession. Lagos, February 7, 1863.

By the present document, I, Kosoko, ex-Chief of Epé, and formerly King of Lagos, do declare that when King of Lagos, my territory extended to the eastward as far as Palma and Leckie, and that when I was expelled from Lagos and settled at Epé, by the permission of the King of Jebu, I claimed those parts as my ports of trade, by right of my former ownership, and they were recognized as such by the British Government.

Having now left Epé, and returned to Lagos by the kind permission of Her Britannic Majesty's Government, I lay no further claim to the ports of Palma and Leckie, which consequently must revert to the Lagos Government.

His  
 KOSOKO.  
 mark.

Signed in my presence, JOHN M. GLOVER, *Commodore, R.N.*  
 'TOPO.

H. N. LEVESON, *Colonial Secretary.*

I certify that I faithfully translated this document to  
 Kosoko. S. R. WILLIAMS.

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(62.)—CONVENTION *with Marabout, Sonninkas, and the Essow.*  
*Peace. Berinding, February 24, 1863.*

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BY a Convention made at Berinding this 24th day of February, 1863, between the Marabout Chief Maba, on the one part, and Bunto-Gamey, the elected King of the Soninkees, and Sumar of Essow, on the other part, through the mediation of his Excellency Colonel d'Arcy, Governor of the Gambia.

ART. I. That in consideration of the great friendship and alliance which has existed for so many years between the British Government and the belligerents, the Chief Maba engages to abstain from all acts of invasion and aggression in the kingdom of Barra; and that he will use his influence without delay to destroy and burn all Marabout stockades erected in the said kingdom other than what is required for the protection of the town.

II. On the part of Bunto-Gamey, the elected King, and the Sumar of Essow, it is agreed that the Marabout captives taken lately at Jillifree be forthwith returned to their friends and relations, that the Soninkees will abstain in future from taxing cattle passing through the country for sale at Bathurst, and from all cattle-lifting; and that all stockades other than the stockade round Essow and Boniado be forthwith burnt and destroyed, in the presence of the Governor and Mr. Primet, who is appointed by the Governor to see the Treaty carried out in all its integrity by Maba, at Badiboo.

III. That the clauses in the Treaty of March, 1861, made with the late King of Badiboo, are to be in force with reference to all disputes between the traders and the people of the country, and that Maba and his Headmen will protect the trade so advantageous to both peoples, in the same manner as the Governor of the Gambia protects the subjects of Maba on their arrival in the town at Bathurst, for purposes of legitimate trade.

IV. And the elected King and the Sumar of Essow hold themselves also engaged to protect the property of all traders.

European and native, who find it convenient in their honourable vocation to pass through Buniado and Essow, on their road to the port of Bathurst.

MABA.

SUMAR.

His  
mark.

Witnesses to signature :

C. BERESFORD PRIMET, *Major Royal Gambia Militia Artillery.*

JOHN DAY, *Interpreter.*

WILLIAM THE WARRIOR, *Interpreter.*

J. B. CAMPBELL, *Gaoler.*

(63.)—COMPACT *between His Excellency Henry Stanhope Freeman, Esq., Governor and Commander-in-Chief in and over the Settlement of Lagos and its Dependencies, Vice-Admiral of the same, Her Britannic Majesty's Consul for the Bight of Benin, &c., on the one part, and Jerry of Jacqua, Governor of the Benin River, Jerbuffon of Jacqua, and Dola of Bubi, as representing the Chiefs of the Benin River, on the other part.—April 2, 1863.*

WHEREAS for some time past no adequate protection has been afforded by the Chiefs to the British merchants in this river, their factories having been attacked, their property stolen, and themselves insulted and threatened without any redress.

In order, therefore, to terminate the existing disputes, and to ensure for the future greater protection to British commerce, and to the lives and property of British traders :

ART. I. It is agreed between the said Contracting Parties, that the amount of 35 puncheons of palm-oil be paid into the hands of whoever may be designated to that intent as the Representative of the British Government in these parts, the said oil to be paid as compensation to certain merchants whose property has been stolen by people of this river.

II. Atuatia, of Becky, shall be given up to the British authorities at Lagos within the period of 6 calendar months, and will be imprisoned at that place for one year, after the expiration of which he will be allowed to return to his country.

III. Should any robbery be committed henceforward, unless the stolen property be immediately returned or paid for, and compensation made, the offender shall be delivered up to the authorities at Lagos, there to undergo imprisonment, the period of which will depend upon the circumstances of the case; and the Chiefs of the river will be made responsible for the stolen property.

IV. Any white merchant who shall trade or attempt to trade with any native guilty of a robbery, or attempt to rob, or other crime, until full amends shall have been made for the same, shall have his trade stopped by the Government for a period not exceeding one month.



V. Any white man who may attempt by violence to obtain payment of trust due to him shall have his trade stopped by the Governor for a period not exceeding one month for the first offence, or until such time as the British authorities at Lagos can be communicated with on the subject.

VI. The 35 puncheons of oil mentioned in Article I shall be paid in the course of 18 months; but if 12 puncheons of the same be not paid within the period of 6 months, and all the other conditions of this Agreement fulfilled, the British authorities will consider themselves entitled to adopt what measures they may think advisable to obtain satisfaction, as though this compact had never been made.

VII. As soon as the indemnity guaranteed by Article I shall have been paid, and the other conditions of this Agreement fulfilled, a comey of one puncheon per 100 tons shall be charged on the European trade, and shall be paid by the merchants to the Chiefs of the place, the division of the same to be made hereafter according to their rank and position in the country.

HY. STANHOPE FREEMAN.

Their

✕ JERRY OF JACQUA.

✕ JERBUFFON OF JACQUA.

✕ DOLA OF BUBI.

marks.

B. L. LEFROY, *Lieutenant and Commander,*  
*H.M.S. "Investigator."*

Witness:

The above document was explained in the Chekree language, in our presence.

THOS. H. FORSHAW.

H. WHITE.

J. HARPER.

J. H. BROWN.

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(64.)—AGREEMENT *with Addo. Slave Trade.* Addo, June 27, 1863.

THE King and Chiefs of Addo having, on or about the 1st May, 1863, sent down a message to his Excellency John Hawley Glover, the Lieutenant-Governor of Her Britannic Majesty's settlement of Lagos, requesting him to take upon himself, on the part of Her Britannic Majesty, the protection of their town and country, Mr. Thomas Tickel, resident agent at Badagry, visited Addo on the 16th instant, and having conferred with the King and Chiefs touching the request they had made to his Excellency the Lieutenant-Governor, and having reported that it was their free and spontaneous wish that Her Britannic Majesty's Government should exercise all the rights of a protecting Power over them, his Excellency visited Addo on the 26th of June, and having assured himself of the correctness of the foregoing statement, and the request being again repeated, his Excellency the Lieutenant-Governor of Lagos, on the part of

Her Majesty the Queen of Great Britain, has taken upon himself the protection of the King, Chiefs, and people of Addo, and has permitted them to hoist the (white) English flag with a red border, subject always to the approval of Her Majesty's Government.

Therefore, his Excellency John Hawley Glover, the Lieutenant-Governor of Lagos, and Acting Consul for the Bight of Benin, &c., on the part of Her Majesty the Queen of Great Britain, and the King and Chiefs of Addo on the part of themselves and their people, have agreed, as is hereinbefore set forth. And the King and Chiefs further bind themselves to be guided in their proceedings with all surrounding tribes, as Her Majesty's Government shall from time to time direct: that they shall prevent all export of slaves to Porto Novo or Pocrah, or passage of such slaves down their river; and shall place neither let nor hindrance on lawful trade, but shall, on the contrary, afford every facility to traders of all nations and tribes who may have occasion to visit their country for the purpose of lawful commerce.

Done at Addo, this 27th day of June, 1863.

JOHN H. GLOVER, *Lieutenant-Governor.*

<p>Their  X KING OLOVEE.  X CHIEF OSURUFUNJAH.  X CHIEF ARRO.  marks.</p>	<p>Their  X CHIEF OJUMOH.  X CHIEF ODOROHFUNJAH.  marks.</p>
<p>Chief Town Council :  Captains :  Their  X IGBOWU.  X ITTU.  X AKILUYI.  marks.</p>	<p>Their  X SABBAAH.  X AKILIBAH.  X AKILOJOH.  marks.</p>
<p>Witnesses :  THOMAS TICKEL. CHARLES FORESYTHE.</p>	<p>Their  X KUCHESI.  X GANDEE.  marks.</p>

(65.)—AGREEMENT *with Pocrah. Slave Trade. Pocrah,*  
*June 29, 1863.*

THE King and Chiefs of Pocrah having sent down repeated messages to the Governor of Lagos, through Mr. Thomas Tickel, Resident Agent at Badagry, requesting him to take upon himself, on the part of Her Britannic Majesty, the protection of their town and country, his Excellency John Hawley Glover, Lieutenant-Governor of Lagos, and Acting Consul for the Bight of Benin, visited that place on the 29th June, 1863, and having assured himself of the wishes of the King and Chiefs, and the request being again repeated, his Excellency the Lieutenant-Governor, on the part of Her Majesty the Queen of Great Britain, has taken upon himself the protection of the King, Chiefs, and people of Pocrah, and has permitted them to

hoist the (white) English flag with a red border, subject always to the approval of Her Majesty.

Therefore, his Excellency the Lieutenant-Governor, on the part of Her Majesty the Queen of Great Britain, and the King and Chiefs of Pocrah, on the part of themselves and their people, have agreed, as is hereinbefore set forth, and the King and Chiefs further bind themselves to be guided in their proceedings with all surrounding tribes as Her Majesty's Government shall from time to time direct; that they shall prevent all export of slaves to Porto Novo, or elsewhere, or passage of such slaves through their country or river, and shall place neither let nor hindrance on lawful trade, but shall, on the contrary, afford every facility to traders of all nations and tribes who may have occasion to visit their country for the purpose of lawful commerce.

Done at Pocrah, this 29th day of June, in the year of our Lord, 1863.

JOHN HAWLEY GLOVER, *Lieutenant-Governor.*

Their

✕ KING AGULAYIE.  
✕ CHIEF UDROFROO.  
✕ KING'S BROTHER UDUNOSIE.

marks.

Their

✕ CHIEF AROEDE.  
✕ KING'S BROTHER ACASH.  
✕ WAR CHIEF AJUBREWA.

marks.

Witnesses:

THOMAS TICKEL.

WILLIAM METZGAR.

(66.) AGREEMENT *with Okeodan. Slave Trade. Okeodan,*  
4 July, 1863.

THE Chiefs of Okeodan having sent down repeated messages to the Governor of Lagos, through Mr. Thomas Tickel, Resident Agent at Badagry, requesting him to take upon himself, on the part of Her Britannic Majesty, the protection of their town and country, his Excellency John Hawley Glover, Lieutenant-Governor of Lagos and Acting Consul for the Bight of Benin, visited Shagbo, where he was received by the Chiefs of Okeodan, on the 4th day of July, 1863; and having assured himself of the wishes of the Chiefs, and the request being again repeated, his Excellency the Lieutenant-Governor, on the part of Her Majesty the Queen of Great Britain, has taken upon himself the protection of the Chiefs and people of Okeodan, and has permitted them to hoist the (white) English flag with a red border, on the understanding that they receive a representative of Her Majesty's Government to reside in their town, subject always to the approval of Her Majesty's Government.

Therefore, his Excellency the Lieutenant-Governor, on the part of Her Majesty the Queen of Great Britain, and the Chiefs





Consul for the Bight of Benin, on behalf of Her Majesty the Queen of Great Britain, promise that the Chiefs who have hereunto set their hands shall receive from the 1st day of the present month of July, in the year of our Lord 1863, the further yearly sum of 240*l.* 16*s.*, in addition to the yearly pension of 259*l.* 4*s.*, which they have hitherto received, that is to say, the sum of 500*l.*, per annum, so long as they shall live or reside peaceably and quietly in Badagry, or within the territories of Her Majesty, as good and loyal subjects of Her Majesty the Queen of Great Britain; that is to say, each Chief shall receive so long as he lives the sum of 62*l.* 10*s.* per annum.

And we further declare that our right and property in the district of Badagry has always and does extend westward to the village of Witcheree, on the seashore, the half of the town of Quameh, and the eastern side or shore of the Quameh Creek, on the Lagoon.

Done at Badagry, under the Great Seal of the Settlement of Lagos, this 7th day of July, in the year of our Lord 1863.

(L.S.) JOHN H. GLOVER, *Lieut.-Governor.*

Their

X	(L.S.)	HEAD CHIEF AKRAH.
X	(L.S.)	CHIEF AGROLO.
X	(L.S.)	CHIEF POSSO.
X	(L.S.)	PRINCE, <i>for</i> CHIEF PHEORTAH.
X	(L.S.)	HEAD CHIEF WOWO.
X	(L.S.)	CHIEF BALA.
X	(L.S.)	CHIEF GINGE.
X	(L.S.)	CHIEF MOBI.

Witnesses: marks.

W. McCOSKRY, *Acting Chief Magistrate.*

B. L. LEFROY, *Commander, R.N.*

THOMAS TICKEL.

(68.)—TREATY *with Woolli. Peace and Friendship. Medina, January 24, 1864.*

TREATY between Charles Hamilton Harvey, Esquire, Staff-Assistant-Surgeon to Her Majesty's Forces, Commissioner duly authorized and empowered by his Excellency Colonel George Abbas Kooli d'Arcy, Governor and Commander-in-Chief in and over the British settlements and their dependencies in the River Gambia, Vice-Admiral and Ordinary of the same, for and on behalf of Her Majesty Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., and Jumoo Whalley, King of Woolli, within the River Gambia.

ART. I. There shall continue to be peace and friendship

between the subjects of the Queen of England and the people subjects of the said Jumoo Whalley, King of Woolli.

II. The King aforesaid does hereby confirm, guarantee, and assure to the subjects of the Queen of England the right at all times to enjoy free and unrestricted intercourse for trade and commerce, and for all other legitimate purposes whatsoever, in and throughout his territory; and does undertake to protect the lives and property of all such subjects of the Queen of England who may proceed to his dominions for trade and commerce, and all other legitimate purposes whatsoever.

III. In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the King aforesaid, and of his successors, his Excellency Colonel George Abbas Kooli d'Arcy, Governor and Commander-in-Chief in and over the British settlements and their dependencies in the River Gambia, agrees, for himself and successors, on the part of Her Majesty the Queen of England, to forward annual presents to the King of Woolli.

Done at Medina, in the territory of the aforesaid King, this 24th of January, in the year of our Lord 1864, and of Her Majesty's reign the 27th.

C. H. HARVEY, M.D.

(Signed in Arabic) JUMOO WHALLEY, *King of Woolli.*

Witnesses:

T. L. INGRAM, *Queen's Advocate of the Gambia.*

H. H. SPENCER, *Mate of H.C.S. "Dover."*

(Signed in Arabic) SALOOM JATA.      DANAH WHALLEY.

(69.)—TREATY *with the King and Chiefs of Goonjour, Combo and Soninkees. Peace. Goonjour, February 7, 1864.*

A TREATY between Commodore Arthur Parry Eardley Wilmot, C.B., &c., commanding Her Majesty's Squadron on the West Coast of Africa, in the name of the Queen of England, on the one part, and of Fodey Cabba, the High Priest of Goonjour on the other, in conjunction with the Soninke, King of Combo, and the Headmen of the Soninke towns of Yundum, Beercamah, and Mandwar, dated at Goonjour, this 7th day of February, 1864.

ART. I. Whereas the late war has had a most prejudicial effect upon the trade and prosperity of the country, and as peace has been secured by the mediation of the representative of the Queen of England, residing at Bathurst, it is agreed, and we do hereby agree, that for the future all differences shall be referred to the Governor of the Gambia, who will, in council with his Headmen, award judgment under Sabbajee-by-Tree;

and if any parties in the neighbourhood of British territory fire guns, or commit acts of hostility and depredation, without first referring their disputes for his Excellency's arbitration, they will be accounted as enemies to the Queen of England, as well as to their own country, and be dealt with accordingly.

II. Chiefs and others who become the means, by their improper conduct, of reducing a beautiful district, at present full of corn, cattle, ground nuts, and other valuable produce, to fire, sword, pestilence, and famine, will be held accountable for their actions to the Government of England and those allies of the Queen, who desire her friendship, as well as the peace and prosperity of their own country.

III. We, therefore, whose names are attached hereto, do engage ourselves most solemnly in the name of our respective Governments from henceforth to keep this Treaty sacred and inviolate, and to live on friendly terms with each other, and all the people around.

IV. Should this Treaty be broken by any of the Chiefs that have this day signed it in the name of their respective countries, or by their war-people, it shall be lawful, and permission is given accordingly, for the soldiers and others of the British Government to enter the territory of the refractory party, and compel them to observe the engagements contained in it.

(L.S.) A. P. EARDLEY WILMOT, *Commodore.*

E. ROGERS, *Lt. 3rd W. I. Regt., for the Governor of the Gambia.*

ALCADE OF BEERKANNAH. His

KING OF YUNDUM'S Brother. X

KING OF YUNDUM, mark.

Witness : and others.

E. ROGERS, *Lieut. 3rd West India Regiment.*

Witnesses :

SAM. W. BLACKALL, *Governor of Sierra Leone.*

H. D. WALY, *Commander H.M.S. "Rattlesnake."*

JOHN LYON, *Paymr. H.M.S. "Rattlesnake."*

H. B. ROBINSON, *Secretary to the Commodore.*

C. F. STUBBS, *Manager British Combo.*

(70.)—AGREEMENT *with the Headmen of Little Popo. Peace with Aghwey. April 13, 1864.*

WE, the Headmen of Little Popo, do hereby promise to the Commodore Wilmot and Commander Wildman that we will not carry on the war with Aghwey from this day forth. We further promise that we will not molest any of the people belonging to that place from this date.

In the event of the person calling himself Pedro Cudjoe, or

any one else that it would be inconvenient for us (the Headmen), to punish, stirring up any disturbance or carrying war from their own town of Little Popo to the friendly town of Aghwey, we hereby agree to give the person or persons up to the first British man-of-war arriving here, to be conveyed, without restraint during the passage, to Whydah, where they will be landed and allowed to follow their own desires.

Little Popo, April 13, 1864.

Their  
 X SUTLEJ TOBU.  
 X LEGGIRO.  
 X QUAREE HATTA.  
 marks.

Witness: J. DAWSON.

This paper was brought to me by the Headmen of Little Popo on Monday, 18th April, 1864.

After they had given it to me, it was read to them and thoroughly explained to them by Mr. Dawson, interpreter, who, by my direction, asked them if they thoroughly understood the meaning of the paper brought, and if it expressed what they wished to say and promised.

They all answered, "Yes; it has been written for us by our direction."

LEVESON WILDMAN, *Commander.*

Witnesses:

JOSEPH DAWSON. JAMES M. TUNSEN.

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*The Headmen of Little Popo to Commodore Wilmot.*

Honoured Sir,

WE, your servants have been brought to understand by your letter, that we are to deliver up to you our friend Pedro Cudjoe, to be landed at any other place he chooses. We are obedient to your advice, but we beg to state that it is impossible for us to do that, because he is a native of this place, Little Popo, and there would be great disturbance between us and his family, and it would raise a civil war. We beg to state that it would not do, but we have promised not to make any more war, and that if he declares war, we will stop him, and if he is determined on it, we will give information to any of Her Majesty's ships of war in order that they may interfere.

We are, &c.

SUTLEJ TOBU. (L.S.) LEGGIAO ABBOKEE. (L.S.) QUAREE.

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(71.)—AGREEMENT *with the Chiefs of Aghwey. Peace with Little Popo, April 20, 1864.*

WE, the Chiefs of Aghwey, do hereby faithfully promise from henceforth not to attack or molest the town or people of



Little Popo, always provided that our town and people are not attacked or molested by the people of Little Popo.

In the event of the person calling himself Pedro Cudjoe, or any other person from Little Popo, attacking or molesting our town and people without the concurrence of the Headmen of Little Popo, we reserve to ourselves the right of dealing with the person or persons according to our native laws, without making war on Little Popo.

Two years ago we promised the Commander of the British man-of-war "Spitfire" not to attack or make war with Little Popo; he promised us that the people of Little Popo should not be allowed to attack us while the "Spitfire" was here at anchor off our town, and after we had given our faithful promise to her Commander, the Little Popo people came here, assisted by the Awoona people, to burn our town; we did nothing until they were close to and firing at our town, thinking that the "Spitfire" would prevent them, as her Commander had promised; instead of doing so, she steamed about, and the officers looked through their glasses, enjoying the sight. When we promise a great nation anything, and an officer of that nation also promises us, we keep our promise and expect the great nation to keep her promise. We kept our promise; the great nation of England did not keep theirs. This makes us cautious.

Signed before me this 20th April, 1864, at the town of Aghwey.

LEVESON WILDMAN, *Commander and Senior Officer Bights Division.*

Their		Their
X	E. KOOM.	X
X	ILI VI.	X
X	TETTER KING.	X
X	SAMMI.	X
marks.		X
		marks.
		X
		TOLKY GIREYHUS.
		X
		KUESSI GAIZIZO.
		X
		KNEEKA AVOOYL.
		X
		PHILIP GOO.
		X
		JOE.

Witnesses :

F. S. MEDEIRO. JOSEPH DAWSON.

The promise (in writing) mentioned by the Chiefs of Aghwey was produced and shown to me in the presence of Mr. Dawson, Interpreter, and all the Headmen.

I know that their promise has been truly kept, and from what I hear from trustworthy persons, I fully believe that their statement respecting the "Spitfire" is in all respects perfectly true.

LEVESON WILDMAN, *Commander.*

Certifico em como é certo au relatado em este documento, e em o documento passado pelo o Commandanto di vapor de guerra Ingles "Spitfire."

FRANCISCO JOSE MEDEIRO.

(72.)—ENGAGEMENT *with the King of Saint Antonio in the River Congo. Commerce, Slave Trade, Human Sacrifices, and Protection of Missionaries. Off River Congo, June 1, 1865.*

ENGAGEMENT between Her Majesty the Queen of England and King Antonio and his Successors, of Saint Antonio, in the River Congo, for the Abolition of the Traffic in Slaves; for the Prevention of Human Sacrifices; for the Encouragement of Lawful Commerce; for the Protection of all White Traders, more particularly British; and for the Punishment of all Pirates and Disturbers of the Peace and Good Order of the River.

COMMODORE ARTHUR PARRY EARDLEY WILMOT, C.B., commanding Her Majesty's Naval Forces, on the part of Her Majesty the Queen of England, and King Antonio and his successors, in the River Congo, have agreed upon the following Articles and Conditions:

ART. I. The export of slaves to foreign countries is for ever abolished in the territory of King Antonio and his successors, and King Antonio and his successors engage to make and proclaim a law prohibiting any of their subjects, or any person within their jurisdiction, from selling, or assisting in the sale of, any slaves for transportation to a foreign country; and King Antonio and his successors promise to inflict a severe punishment on any person who shall break this law.

II. No European, or other person whatever, shall be permitted to reside within the territory of King Antonio and his successors, for the purpose of carrying on in any way the Traffic in Slaves; and no houses, or stores, or buildings of any kind whatever shall be erected for the purpose of Slave Trade within the Territory of King Antonio and his successors; and if any such houses, stores, or buildings shall at any future time be erected, and King Antonio and his successors shall fail, or be unable, to destroy them, they may be destroyed by any British officers employed for the suppression of the Slave Trade.

III. If at any time it shall appear that Slave Trade has been carried on through or from the territory of King Antonio and his successors, the Slave Trade may be put down by Great Britain by force upon that territory; and British officers may seize the boats of King Antonio and his successors found anywhere carrying on the Slave Trade; and King Antonio and his successors will be subject to a severe act of displeasure on the part of the Queen of England.

IV. The subjects of the Queen of England, and all European Powers friendly to her, may always trade freely with the people of King Antonio and his successors, in every article they may wish to buy and sell, in all the places within the territory of King Antonio and his successors, and throughout the whole of

their dominions; and King Antonio and his successors pledge themselves to show no favour and give no privilege to the ships and traders of other countries which they do not show to those of England.

V. Should the ships of English or other friendly traders be attacked by pirates or plunderers, King Antonio and his successors most faithfully promise assistance by sending their Chiefs and people with arms, and will do all in their power to punish the robbers.

VI. If at any time a naval officer of Great Britain shall require guides or armed people from King Antonio and his successors to accompany the said officer on an expedition against pirates or other enemies of the Queen of England, King Antonio and his successors faithfully promise to provide them.

VII. King Antonio and his successors declare that no human beings shall be sacrificed on account of religious or other ceremonies, and that they will prevent the barbarous practice of murdering prisoners in war.

VIII. Missionaries or ministers of the Gospel are to be allowed to reside in the territory of King Antonio and his successors, for the purpose of instructing the people in all useful occupations.

IX. If King Antonio and his successors faithfully abide by and perform the Articles of this Treaty, the British Government will consider King Antonio and his successors as its friends; and the Commodore will authorize a "dash," or present, to be made to King Antonio and his successors at suitable times.

Concluded on board Her Majesty's ship the "Rattlesnake," lying in Turtle Cove, River Congo, on the 1st day of June, in the year 1865.

Signed by the Contracting Parties and sealed.

A. P. EARDLEY WILMOT, *Commodore.*

(L.S.) ANTONIO, *King.*

(L.S.) DOMINGO, *King's Brother.*

And witnessed by :

EDMUND G. BOURKE, *Lieutenant.*

JOHN LYON, *Paymaster.*

H. B. ROBINSON, *Secretary to the Commodore.*

WILLIAM (L.S.) *Headman at Shark's Point.*

(73.)—ENGAGEMENT *with Kings and Chiefs of the River Congo. Commerce, Slave Trade, Human Sacrifices, and Protection of Missionaries. Off River Congo, June 6, 1865.*

ENGAGEMENT between her Majesty the Queen of England and the principal Chiefs (whose names appear hereafter) holding authority on the left bank of the River Congo for the

Abolition of the Traffic in Slaves; for the Prevention of Human Sacrifices; for the Encouragement of Lawful Commerce; for the Protection of all White Traders, more particularly British; and for the Punishment of all Pirates and Disturbers of the Peace and Good Order of the River.

COMMODORE ARTHUR PARRY EARDLEY WILMOT, C.B., commanding Her Majesty's naval forces, on the part of Her Majesty the Queen of England, and the principal Chiefs holding authority on the Left Bank of the River Congo, have agreed upon the following Articles and Conditions:

[Here follow Articles I to IX. See Treaty with Saint Antonio, No. 72.]

Concluded on board Her Britannic Majesty's ship "Rattlesnake," in Turtle Cove, River Congo, on the sixth day of June, in the year one thousand eight hundred and sixty five.

Signed and sealed by us, the Contracting Parties:

A. P. EARDLEY WILMOT, *Commodore.*

(L.S.) KING PLENTY.

(L.S.) MANGOVA.

(L.S.) KING MEDORA.

(L.S.) PIBRANEO.

(L.S.) KING BAMBOO.

(L.S.) NIMPLOOMBI.

(L.S.) CAPETA.

And witnessed by:

F. MARTEN, *Captain, H.M.S. "Archer," and Senior Officer, South Division.*

W. F. RUXTON, *Commander, H.M.S. "Pandora."*

W. J. HUNT GRUBBE, *Commander, H.M.S. "Jaseur."*

H. B. ROBINSON, *Secretary to Commodore.*

(74.)—AGREEMENT *with the Chiefs of Jacqua. Commerce.*  
*Benin River, June 18, 1866.*

AGREEMENT between Jonathan William Elmes, Esquire, Her Majesty's Acting Consul for the Bight of Benin, and John William Jones, Esquire, Lieutenant and Commander of Her Majesty's ship "Investigator," senior naval officer present on behalf of Her Most Gracious Majesty the Queen of Great Britain and Ireland, on the one part; and Jerry, Chief of Jacqua, and Jerbuffon, also Chief of Jacqua, both of the Benin River, representing the Chiefs of the Benin River, on the other part.

Whereas certain differences and misunderstandings have arisen between the English merchants in the River Benin and the aforesaid Chief Jerry and his people, whereby the trade and commerce in the river has been impeded; it is hereby agreed between Jonathan William Elmes, Esq., Her Majesty's Acting Consul for the Bight of Benin, and John William Jones, Esq., Lieutenant and Commander of Her Majesty's ship "Investi-



gator," and senior naval officer present, on behalf of Her Most Gracious Majesty the Queen of Great Britain and Ireland, and Jerry and Jerbuffon, for Chiefs of Benin River:—

ART. I. That Chiefs Jerry and Jerbuffon shall not at any time from thenceforth impede the trade of the Benin River, nor stop the trade of any English merchant, nor prohibit the Benin River people from trading, if they shall be so inclined, with any English merchant; leaving all disputes and questions involving a prohibition of trade to be decided by Her Majesty's Consul for the Bight of Benin.

II. English people may buy or sell, or hire lands, or beaches, or houses in the Benin River country, and their beaches and houses shall not be entered without their consent, nor shall their goods be seized nor their persons touched; and if English people are wronged or ill-treated by the people of the Benin River, the Chiefs of the Benin River shall punish those who wrong or ill-treat the English people.

III. But English people must not wrong or ill-treat the people of the Benin River, and when they are accused of so doing, the Chief shall send a true account of the matter to Her Majesty's Consul for the Right of Benin, or to the Commander of any of Her Majesty's ships of war; and the Consul or Commander, whichever it may be, shall send for the English person, who shall be tried according to English law, and shall be punished if found guilty.

IV. If the Benin River people should take away the property of an English person, the Chiefs shall do all they can to make the Benin River people restore the property and pay the debt. In the case of a theft committed by a slave, then the master of such slave to be held responsible for such restoration and payment; and in the case of a theft committed by a freeman of a tribe, the Chief thereof to be held similarly responsible for such restoration or payment; and if English persons should take away the property of the Benin River people, or should not pay their just debts to the River people, the Chief shall make known the facts to Her Majesty's Consul for the Bight of Benin, and the Consul shall do all he can to make the English persons restore the property, and pay the debt.

V. That the merchants and traders on the one hand, and the Benin Chiefs and Headmen on the other, being assembled to remove grievances and discuss matters of complaint between them, do, on their several parts, engage to adjudicate thereon in a friendly manner that shall be satisfactory to the traders who frequent the river and the native merchants. Any settlement so made to be submitted to Her Majesty's Consul, and, if approved and ratified by him, to become a law of trade in the Benin River, and binding equally with an Article of this Agreement.

Done on Board Her Majesty's ship "Investigator," Benin River, this 18th day of June, in the year of our Lord 1866, and of Her Majesty's reign the 30th.

(L.S.) JERRY, *Chief of Jacqua.*

(L.S.) JERBOFFON, *Chief of Jacqua.*

JON. W. ELMES, *Acting Consul.*

JNO. W. JONES, *Lieutenant-Commander, Her Majesty's ship "Investigator."*

Witnesses :

CHANOMMI (L.S.), *Chief of Bubi.*

C. PHILIPPI, *Secretary to Her Majesty's Consul.*

C. HERBERT FAUVEL, *Clerk, Her Majesty's ship "Investigator."*

E. GOLDSTONE.      H. C. CLARK.      R. CLAUS.

## ARGENTINE CONFEDERATION.

CONSTITUTION of the Argentine Republic ; so far as it relates to Religion ; Extradition of Criminals ; Transit Duties ; Freedom of Slaves ; Rights of Foreigners ; Immigration ; Navigation of Rivers ; Treaties of Commerce, &c. Santa Fé, September 25, 1860.

(Translation.)

II. The Federal Government supports the Apostolic Roman Catholic worship.

XI. Articles of national or Foreign production and manufacture, as well as cattle of all kinds which pass through the territory of one province to another, shall be free from what are called transit dues, together with the vehicles, vessels, or animals which transport them ; and no other duty can be imposed on them hereafter, whatever may be its denomination, for the act of passing through the territory.

XIV. All the inhabitants of the nation enjoy the following rights in accordance with the laws which regulate the exercise thereof, that is : To work at and carry on every lawful occupation ; to navigate and trade ; to petition the authorities ; to enter, remain in, pass through, and go out of the Argentine territory ; to publish their ideas through the press without previous censure ; to employ and dispose of their property ; to associate for useful purposes ; to profess their religion freely ; to teach and to learn.

XV. There are no slaves in the Argentine nation, the few that exist now become free from the swearing of this Constitution ; and a special law will regulate the indemnifications which

this declaration may render necessary. Any agreement for the sale or purchase of human beings is a crime for which those who make it shall be responsible, as well as the notary or functionary who sanctions it; and the slaves, in whatever manner they may be introduced, become free from the sole fact of treading the soil of the Republic.

XX. Foreigners enjoy in the territory of the nation all the civil rights of the citizen; they may exercise their calling, trade, or profession; possess landed property; buy it and dispose of it; navigate the rivers and coasts; freely profess their faith; make wills and marry according to the laws. They are not obliged to receive the citizenship, nor to pay extraordinary forced contributions. They become naturalized by residing two years continuously in the nation; but this term may be shortened by the authority in favour of him who asks for it, alleging and providing services to the Republic.

XXI. Every Argentine citizen is bound to arm in defence of the country and of this Constitution, in accordance with the laws passed by Congress for the purpose, and with the decrees of the national Executive. Citizens by naturalization are free to render this service or not for the period of 10 years, reckoned from the day when they obtain their letter of citizenship.

XXV. The Federal Government will encourage European immigration; and it shall not have the power of restricting, limiting, or burdening with any impost the entry into the Argentine territory of Foreigners whose object is to cultivate the land, to improve trade, and to introduce and teach the arts and sciences.

XXVI. The navigation of the internal rivers of the nation is free for all flags, subject only to the regulations made by the national authority.

XXVII. The Federal Government is bound to secure its relations of peace and commerce with foreign powers by means of Treaties in conformity with the principles of public right established in this Constitution.

XXVIII. The principles, guarantees, and rights, recognized in the preceding Articles, cannot be altered by the laws which regulate their exercise.

XXXI. This Constitution, the laws passed by Congress in consequence thereof, and the Treaties with foreign Powers, are the supreme law of the nation, and the authorities of each province are bound to conform thereto, notwithstanding any provision to the contrary contained in the provincial laws or constitutions, saving for the province of Buenos Ayres, the Treaties ratified since the Pact of the 11th of November, 1859.

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DECREEE of the President of the Argentine Confederation, respecting the disposal of Property of Intestate British Subjects.—  
Buenos Ayres, November 19, 1862.

(Translation.)

(Extract.)

INASMUCH as it is stipulated in the following Treaties with the Republic:

Art. XIII of the Treaty with Great Britain of the 2nd of February, 1825:\*

The subjects of Her Britannic Majesty, residing in the United Provinces of the Rio de la Plata, shall have the right of disposing freely of their property of every description in what form they may please, or by testament, as they may judge fit; and in the event of any British subject dying without having made such last will or testament in the territories of the said United Provinces, the British Consul-General, or, in his absence, his representative, shall have the right to nominate curators to take charge of the property of the deceased, for the benefit of his lawful heirs and creditors, without any interference, giving proper notice thereof to the authorities of the country and reciprocally.

\* \* \* \* \*

It being likewise stipulated in these and other Treaties with other nations that all the Governments and their subjects shall be considered as the most favoured nation:

It being the rule of the Argentine Government to consider all foreigners as in the enjoyment of perfect equality of rights:

And it being of great importance to give uniformity to the intervention of foreign Consuls in the testamentary arrangements of the intestate successions of the subjects of their nation:

The President of the Republic has determined and decrees:

ART. I. In the case of any foreigner dying intestate without leaving legitimate descendants or wife publicly recognized as such, residing in the country; or if he leaves a will, but his heirs are foreigners and absent, and in the absence also of the executor appointed by the will, the Consul of his nation may intervene in the administration.

II. The intervention of the Consul shall not take place when any Argentine, publicly recognized as such, is the heir in the ascending or descending line.

III. This intervention shall be limited:

1°. To sealing up the goods, furniture, and papers of the deceased, giving previous notice to one of the judges of first instance in civil causes, if the death has occurred in the place of residence of the Consul.

2°. To naming administrators.

IV. The Consuls shall communicate the nomination of the administrators directly to the judge of first instance.

\* See Vol. 3. Page 44.



V. The judges of first instance will place the seal of their court upon the effects and papers of the deceased.

VI. The judge shall not remove the double seals to make the inventory without previously summoning the administrator.

VII. Should there be no Consul at the place where the intestate individual dies, the inventory shall be made in conformity with existing laws, in the presence of two witnesses of the same nation as the deceased, or of some other nationality, should there be any such; notice to be given by the authority who makes the inventory to the nearest Consul.

VIII. The administrators shall perform their duty subject to the laws of the country.

IX. If there should be legitimate collateral heirs in the country, they may request the judge of the cause to name an administrator, the administrators nominated by the Consuls being thus reduced to the character of representatives of the absent heirs who have not named special agents.

X. If there are no heirs whatever in the country, any claims for debts or claims concerning the succession, shall be decided by the judge of the cause with the assistance of the administrators.

XI. Nothing can be handed over to the absent heirs until a year after the death of the intestate individual has elapsed, and all debts contracted within the territory of the State are paid.

XII. If there are no heirs *ab intestato*, according to the laws of the country of the deceased, the administrators shall deliver up the property to the State.

XIII. The rights recognized by this Decree shall extend only to nations which concede equal rights to Argentine Consuls and citizens.

XIV. Nations which claim the execution of something not included in this law, but which is included in a Treaty, shall obtain only what is exactly stipulated for in the Treaty invoked.

XV. Let this Decree be communicated in due time to the Congress of the nation for the requisite purposes, let it be notified, published, and given to the National Registry.

RUFINO DE ELIZALDE.

MITRE.

BRITISH ORDER IN COUNCIL, *extending the Regulations for preventing Collisions at Sea, to Ships of the Netherlands, the Argentine Republic, and Norway.* September 12, 1863.

*At the Court at Windsor, the 12th day of September, 1863.*

PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS the rules and practice observed for the purpose of preventing collisions at sea, which were formerly adopted by

maritime nations, have proved insufficient to satisfy the requirements of modern navigation; and whereas various alterations in such rules and practice have from time to time been made by different nations, but the rules so altered have been found to be in some cases inconsistent with each other, and in other cases to have the force of municipal law only; and whereas certain regulations for the purpose aforesaid have been sanctioned by "The Merchant Shipping Act Amendment Act, 1862,"\* and are contained in the Table C, in the schedule to that Act; and whereas for the purpose of correcting certain clerical errors the said regulations have, in pursuance of the provisions in the said Act contained, been modified by an Order in Council bearing date the 9th day of January, 1863,† and the said regulations, so modified, are appended to the said Order, and to this Order; and whereas by virtue of the said Act and of the said Order the said regulations so appended as aforesaid, so far as relates to British and *French* ships and also so far as relates to other *Foreign* ships when within British Jurisdiction, came into operation on the 1st day of June, 1863; and whereas it is provided by the same Act, that, whenever it is made to appear to Her Majesty that the Government of any foreign country is willing that the regulations for preventing collision contained in Table C in the schedule to the said Act, or such other regulations for preventing collision as are for the time being in force under the said Act should apply to the ships of such country when beyond the limits of British Jurisdiction, Her Majesty may by Order in Council direct that such regulations shall apply to the ships of the said *Foreign* country, whether within British Jurisdiction or not. And it is further provided by the said Act that whenever an Order in Council has been issued applying any regulation made by or in pursuance of the said Act to the ships of any *Foreign* country, such ships shall, in all cases arising in any British Court, be deemed to be subject to such regulation, and shall for the purpose of such regulation be treated as if they were British ships: and whereas it has been made to appear to Her Majesty that the following Governments, that is to say:

The Government of His Majesty the King of the *Netherlands*, and the Government of the *Argentine Republic*, are willing that the said Regulations appended to the said Order and to this Order should apply to ships belonging to their respective countries when beyond the limits of British jurisdiction:

And whereas it has also been made to appear to Her Majesty that the Government of His Majesty the King of *Sweden* and *Norway* is willing that the said Regulations appended to the said Order and to this Order should, on and after the 1st day of September, 1863, apply to ships belonging to *Norway* when beyond the limits of British jurisdiction;

\* See Vol. 11. Page 328.

† See Vol. 11. Page 219.

Now, therefore, Her Majesty, by virtue of the power vested in her by the said recited Act, and by and with the advice and consent of Her Privy Council, is pleased to direct, that the said Regulations appended to the said Order in Council, bearing date the 9th day of January, 1863, and to this Order, shall from the date of this Order apply to ships belonging to the following countries, that is to say:

The *Netherlands*, the *Argentine Republic*, and *Norway*, whether within British jurisdiction or not.

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REGULATIONS *referred to in the foregoing Order.*  
Regulations for Preventing Collisions at Sea.—[See Vol. 11,  
Page 221.]

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BRITISH TREASURY WARRANT *altering the Rates of Postage on Letters transmitted to or from the United Kingdom or between any British Colony or Foreign Country and the States of the German Postal Union (Prussia, Austria, Bavaria, Saxony, Hanover, Wurtemberg, Baden, Luxemburg, Brunswick, Mecklenburg-Schwerin, Mecklenburg-Strelitz, Oldenburg, Lubeck, and Postal District of Tour and Taxis;—Frankfort-on-the-Maine, Grand-Duchy of Hesse, Hesse-Electoral, Hesse-Homburg, Schaumberg-Lippe, Lippe-Detmold, Nassau, Reuss, Saxe-Coburg-Gotha, Saxe-Meiningen, Saxe-Weimar-Eisenach, Hohenzollern, Schwartzburg-Rudolstadt, and Schwartzburg-Sondershausen); Borneo, Java, Madagascar, the United States, Brazil, Uruguay, the Argentine Confederation, or the Sandwich Islands; as well as on Letters from Japan, or from any Foreign Port in China, or on the West Coast of Africa, transmitted to the United Kingdom, or to any British Colony or Foreign Country. March 3, 1866*

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WHEREAS by an Act of Parliament passed in the fourth year of the reign of Her present Majesty, intituled “An Act for the regulation of the duties of postage,”\* power is given to the Commissioners of Her Majesty’s Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage payable by law on the transmission by the post of *Foreign or Colonial* letters or newspapers or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in this Warrant:

And whereas further powers are given to the Commissioners of Her Majesty’s Treasury, by another Act of Parliament passed in the eleventh year of the reign of Her present Majesty, intituled “An Act for giving further facilities for the trans-

\* See Vol. 5. Page 248.



mission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office :”\*

And whereas it is expedient to alter the rates of British postage now payable upon certain letters in the manner hereinafter mentioned :

Now we, the Commissioners of Her Majesty’s Treasury, in exercise of the powers vested in us in and by the said recited Acts and each of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order, direct, and declare as follows :

1. All letters exceeding  $\frac{1}{2}$  an ounce in weight, posted in any part of the United Kingdom or in any British Colony or *Foreign* country, addressed to any place within the States of the *German Postal Union*, *Borneo*, *Java*, *Madagascar*, *The United States*, *Brazil*, *Uruguay*, the *Argentine Confederation*, or the *Sandwich Islands*, or posted in any of such last-mentioned countries or places, respectively addressed to any part of the United Kingdom, or to any British Colony or *Foreign* country, and respectively transmitted by the post between the United Kingdom and any of the States of the *German Postal Union*, *Borneo*, *Java*, *Madagascar*, *The United States*, *Brazil*, *Uruguay*, the *Argentine Confederation*, or the *Sandwich Islands*, shall in lieu of being charged with the postage payable thereon in respect of such transmission thereof, as aforesaid, according to the scale of weight and number of rates contained in or referred to by any Warrant or Warrants of the Commissioners of Her Majesty’s Treasury, or otherwise, now in force relating to any such letters, be charged with the postage payable thereon under such Warrant or Warrants respectively, or otherwise, according to the scale of weight and number of rates contained and set forth in the 3rd clause of this present Warrant.

2. All letters exceeding  $\frac{1}{2}$  an ounce in weight posted in *Japan*, or at any *Foreign* port in *China*, or on the *West Coast of Africa* respectively, addressed to any part of the United Kingdom, or to any British Colony or *Foreign* country, and respectively transmitted by the post from *Japan*, or any *Foreign* port in *China*, or on the *West Coast of Africa*, to the United Kingdom, shall, in lieu of being charged with the postage payable thereon, in respect of such transmission thereof as aforesaid, according to the scale of weight and number of rates contained in or referred to by any Warrant or Warrants of the Commissioners of Her Majesty’s Treasury, or otherwise, now in force relating to any such letters, be charged with the postage payable thereon under such Warrant or Warrants respectively, or otherwise, according to the following scale of weight and number of rates, that is to say :

\* See Vol. 8. Page 257.



3. On every such letter exceeding  $\frac{1}{2}$  an ounce in weight, and not exceeding 1 ounce in weight, there shall be charged, taken, and paid 2 rates of postage.

And on every such letter, if exceeding 1 ounce and not exceeding  $1\frac{1}{2}$  ounce in weight, there shall be charged, taken, and paid 3 rates of postage.

And on every such letter if exceeding  $1\frac{1}{2}$  ounce, and not exceeding 2 ounces in weight, there shall be charged, taken, and paid 4 rates of postage.

And for every additional  $\frac{1}{2}$  an ounce in weight of any such letter above the weight of 2 ounces there shall be charged, taken, and paid 1 additional rate of postage, and every fractional part of such additional  $\frac{1}{2}$  an ounce in weight shall be charged as an additional  $\frac{1}{2}$  an ounce in weight, and each progressive and additional rate chargeable under this Warrant shall be estimated and charged at the sum which any such letter would be charged with under any such Warrant or Warrants, or otherwise, as hereinbefore mentioned, if not exceeding  $\frac{1}{2}$  an ounce in weight.

4. Nothing in this present Warrant contained shall be construed to interfere with or affect the rates of postage now payable upon letters transmitted between the United Kingdom and any of the States of the *German Postal Union* *viâ France*, or upon letters transmitted between the United Kingdom and any of the countries or places specified in the first clause of this Warrant, the sea conveyance of which is by *French* packet boat.

5. The term "*German Postal Union*" used in this Warrant, shall include the states and countries of *Prussia, Austria, Bavaria, Saxony, Hanover, Wurtemberg, Baden, Luxemburg, Brunswick, Mecklenburg-Schwerin, Mecklenburg-Strelitz, Oldenburg, Lubeck*, and the countries and places comprised in the postal districts of the Prince of *Tour and Taxis*; viz., *Frankfort-on-the-Maine, the Grand Duchy of Hesse, Hesse-Electoral, Hesse-Homburg, Schaumburg-Lippe, Lippe-Detmold, Nassau, Reuss, Saxe-Coburg-Gotha, Saxe-Meningen, Saxe-Weimar-Eisenach, Hohenzollern, Schwartzburg-Rudolstadt, and Schwartzburg-Sondershausen*; the term "by the post" used in this Warrant, shall be construed to have the like meaning in all respects as the like term used in the said recited Acts; and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the session of Parliament holden in the 3rd and 4th years of the reign of Her Majesty, for the regulation of the duties of postage.

6. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby altered, or any of the orders, regulations, con-

ditions and restrictions hereby made, and may make and establish any new or other rates, orders, regulations, conditions, or restrictions in lieu thereof, and from time to time may appoint at what time the rates which may be payable are to be paid.

7. This Warrant shall come into operation on the 1st day of April, 1866.

Whitehall, Treasury Chambers, the 3rd day of March, 1866.

LUKE WHITE. W. P. ADAM.

## A U S T R I A.

PROVISIONAL REGULATIONS *issued by the Commissioners of Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, respecting the Navigation and Police of the Lower Danube. Galatz, November 21, 1864.*

### THE EUROPEAN COMMISSION OF THE DANUBE.

WHEREAS inconveniences result from the variety of the regulations enacted by common agreement, and put in force provisionally on the part of the Danube situated below Isaktcha, in pursuance of the stipulations of the Treaty of Paris, under date 30th March, 1856;\*

The Commission enacts the following Regulations of Navigation and Police, in which are united in one single text, after having been revised, the provisions having force of law of the regulations successively promulgated up to this time.

#### *General Provisions.*

ART. I. The navigation of the Lower Danube below Isaktcha is placed under the immediate superintendence of the Inspector-General of the Lower Danube and of the Captain of the Port of Sulina.

II. The Inspector-General is specially charged with the Police of the Lower Danube, exclusive of the Port of Sulina.

He is assisted by several overseers distributed over the different sections of the river under his jurisdiction.

III. The Captain of the Port of Sulina, under whose orders act the port-officers (bossemans), is charged with the Police of the port and roadstead of Sulina.

IV. The masters of merchant-vessels, to whatever flag they belong, are bound to comply with the orders which are given

\* See Vol. 10. Page 533.

them by the Inspector-General, by the Captain of the Port, and by the subalterns placed under the orders of these two officers.

They are equally bound to state to them, when called upon to do so, their name, as well as the name and flag of their vessel, and to show to them their agreement with the crew, without prejudice to the provisions of Articles X, XVII, and LXV hereinafter contained.

V. Independently of the judicial functions exercised by them in the cases provided for in Articles LXXIX and CVII of the present Regulation, the Inspector-General and the Captain of the Port of Sulina decide summarily on disputes arising between captains and their crews, calling in the aid of two captains of the same nationality as the contending parties, or, in their absence, of two other captains.

They do not, however, exercise this part of their powers unless their interference is claimed by one of the parties concerned, and then only in the event of there being no other competent authority on the spot.

VI. As regards the action of the vessels-of-war stationed at the mouth of the river, it is exercised in conformity with Article XIX of the Treaty of Paris of the 30th March, 1856, which states that the said vessels have for mission to ensure the execution of the regulations enacted by common agreement.

## PART I.—*Concerning the Police of the Sulina Roads and Port.*

### CHAPTER I.—*Police Regulations for the Sulina Roads.*

VII. The Sulina roadstead comprises the waters of the sea for a radius of two nautical miles round the head of the north pier.

VIII. Every vessel arriving in the Sulina roads from seaward must hoist her national colours.

IX. If she remains in the roads to ship or unload cargo, she must nevertheless obey the orders of the Captain of the Port and of his agents in everything relating to the navigation police. She is specially bound to conform to the provisions of the present Regulations contained in Part V, and having reference to the lighter service.

X. She must anchor at the place pointed out by the Chief Pilot or Deputy Chief Pilot of the Sulina Port. Within twenty-four hours after anchoring, the captain or his chief officer must report himself at the Port Captain's office, to present his ship's papers.

XI. Boats belonging to vessels anchored in the roads are forbidden to cross the bar, and to ply in the port during the night, without carrying a lighted lantern.

### CHAPTER II.—*Police Regulations for the Port of Sulina.*

XII. The Port of Sulina comprises the Sulina branch for a

space of 3 nautical miles up the river, starting from the opening of the channel formed by the heads of the piers at the mouth.

XIII. No sailing or steam-vessels of more than 60 tons register may cross the bar of Sulina, either entering from the sea or leaving the river, without having on board a pilot licensed by the local authorities.

This clause, however, does not apply to steamers that make periodical voyages, which are permitted to employ their own pilots.

The pilot service is regulated by special provisions under Part IV of these present regulations.

XIV. No vessel is permitted to enter or leave the Port of Sulina without hoisting the national colours. The port authorities will not allow any vessel without a flag to pass.

XV. If, owing to stormy weather, the Sulina Bar is judged impracticable by the Captain of the Port, a blue flag is hoisted on the tower of the light-house, to show that the pilots are unable to go out to vessels in the roadstead.

XVI. Guard-boats are stationed at the two entrances to the port. Captains entering the port must anchor in the berths pointed out to them by the officers in charge of these boats.

XVII. Captains must then present themselves within 24 hours at the office of the Captain of the Port, to produce their ship's papers.

They are equally bound, with the exception of the captains of the postal steam-packets making regular voyages, to present their papers to the Cashier of the Navigation Chest at Sulina, who affixes to the roll of the crew of each vessel entering the Danube waters, of whatever tonnage she may be, a stamp bearing these words: "Commission Européenne du Danube, Caisse de Navigation de Soulina,"—the date of the year and her serial number. This stamp is cancelled before the vessel leaves by another stamp across it.

If vessels do not remain more than 24 hours at Sulina, the ship's papers are immediately restored to the captains after the accomplishment of the prescribed formalities; in the contrary case they remain deposited at the office of the Captain of the Port, by whose agency they are transmitted, if required, to the competent consular authority, after payment of the navigation dues, and the payment or deposit of the fines levied in virtue of the present regulation; save and except in this case, the roll of the crew must always remain on board the vessel.

XVIII. After having cast anchor, vessels are to moor by cables to the posts fixed for the purpose along the two banks, or to vessels already moored.

XIX. Vessels must take in their booms and jib-booms, which in no case may be used for mooring boats. During the



whole period of remaining at anchor, the yards must be braced fore and aft.

XX. Small coasting vessels, as well as lighters, are forbidden to move about the port during the night. Boats belonging to the port or to merchant vessels may not ply during the night without carrying a lighted lantern.

XXI. It is prohibited to heat tar or pitch on board vessels inside the port. Captains are bound to see that no lights whatever are used on board their vessels, other than glass lamps or lanterns.

### CHAPTER III.—*Provisions common to both Roadstead and Port of Sulina.*

XXII. Article LXIV of these present Regulations, which forbids the throwing out of ballast, except at stated places, has particular reference to the Roadstead and Port of Sulina, properly so called.

XXIII. It is forbidden, without the authority of the Captain of the Port, to remove anchors, chains, and other articles abandoned in the Port and Roadstead of Sulina.

XXIV. In case of a vessel stranding, of shipwreck, as well as in cases of damage, the Captain of the Port of Sulina will immediately give the promptest assistance to save the vessel, her cargo, and gear, and to protect the general interests of the navigation; after which, he divests himself of the administration of the salvage, and forwards all the documents drawn up by him to the nearest competent authority.

## PART II.—*Concerning the River Police.*

### CHAPTER I.—*General Regulations.*

XXV. Every captain or master of a sailing or steam-vessel in the act of navigating or stationary, whether at anchor or moored to the bank, is bound to take care that his vessel causes neither hindrance to the navigation nor damage, whether to other vessels or landing jetties, buoys, signals, towing paths, or other establishments placed on the river or its banks for the benefit of the navigation, and he is to attend to the preservation of his own vessel with the same care.

Vessels navigating or stationary in the Sulina branch are bound to carry their anchors suspended freely from the cat-heads, without making them fast to the bulwarks.

Persons charged with conducting floats of wood and rafts are equally bound to take the same precautions as vessels.

These floats and rafts, when they descend the Sulina branch, can only have a draught of water at least one foot less than the depth of water on the shallowest shoal in the said branch.

In no case can they have more than 12 feet draught of water.

CHAPTER II.—*Regulations for Vessels crossing or passing one another.*

XXVI. As a general rule, vessels are forbidden to pass one another if going in the same direction, and two vessels sailing in opposite directions may not cross in places where the channel does not afford sufficient breadth.

XXVII. No vessel may steer across the course taken by another vessel in such a manner as to impede it in its way.

When a vessel ascending the river finds itself exposed to meeting a vessel descending at a point which does not afford sufficient breadth, she must stop below the passage till the other vessel has cleared it; and if the ascending vessel should be actually in the passage as the other approaches it, the descending vessel must cast the anchor which she is bound to carry always in readiness astern, and stop above until the passage is clear.

XXVIII. In narrow passages steam-vessels must not approach closely vessels which precede them.

XXIX. When two steam-vessels, or two sailing-vessels, sailing with a favourable wind, meet whilst proceeding in different directions, the one ascending stream must steer towards the left bank, and the vessel descending towards the right bank, so that both go to starboard, as is customary at sea.

Any captain or master breaking this Regulation will have to prove, in the event of a collision, that it was impossible for him to observe it, in default of which he will be responsible before the competent tribunal for all accidents which may have happened.

He is moreover bound to give the signals prescribed by Articles XXXI and XXXII, following. If two steam-vessels give the signal simultaneously, the signal of the descending vessel rules.

XXX. When two steam-vessels, proceeding in different directions, are approaching a curve in the river, they must give the signals prescribed by Articles XXXI and XXXII, following, and the ascending vessel must stop until the other has cleared the passage.

XXXI. When one steam-vessel wishes to pass another going in the same direction it must signal before arriving at a short distance by means of 5 strokes on the bell or 5 whistles, and by waving a flag on the forecastle, or by hoisting half-mast a blue flag by day or a white light at night.

Upon these signals the vessel in advance is bound to steer to the left and give passage to the other, which will take the right. As soon as the vessel following is half a ship's length from the one she is about to pass, or from the tail of a convoy

in tow, the latter must slacken speed until she has been passed.

XXXII. A sailing-vessel coming up with another of inferior sailing powers, and desiring to pass her, must signal her intention in good time by hailing the vessel in advance, which will be required to let her pass to windward.

A steam-vessel wishing to pass a sailing-vessel going in the same direction as itself, will be required to give the signals prescribed by Article XXXI, within a short distance, and must pass the sailing-vessel to leeward.

XXXIII. Steam-vessels going down stream are to slacken speed at the points where the river describes sharp curves, until a clear passage is visible from the stern of the vessel. If any other vessel should be in the bend the steamer must signal its approach by sounding its whistle.

XXXIV. Every steamer, whether ascending or descending the river, is bound to avoid vessels which it may meet dropping down with the current.

The vessel so dropping down is required on its part, when it meets other vessels whether under sail or steam, to steer parallel to the banks, so as to offer as little obstacle as possible to a free passage.

XXXV. Vessels tacking must take care not to get in the way of steamers.

XXXVI. Captains or masters of vessels heavily laden, or of laden vessels of less than 60 tons register, are required to keep as much as possible out of the way of steamers which may meet or come up with them.

Captains of steamers are bound on their part, when passing near vessels of the kind mentioned in the preceding paragraph, to slacken speed, or stop completely in case of danger to the said vessels, if they can do so without danger to themselves or to the vessels they may have in tow.

XXXVII. In obeying and construing the rules laid down in the preceding Articles XXVI and XXXVI inclusive, due regard must be had to all dangers of navigation, and due regard must also be had to any special circumstances which may exist in any particular case, rendering a departure from the above rules necessary in order to avoid immediate danger.

### CHAPTER III.—*Towage Rules.*

XXXVIII. Captains or masters of tugs navigating with or without vessels in tow, are bound to observe all the preceding provisions; they are, moreover, specially bound to obey the injunctions of Articles XXXI, XXXII, and XXXIII, when one convoy wishes to pass another, the which case excepted, two convoys must never be side by side, either at anchor or navigating in company.

In the event of meeting sailing-vessels or steamers going down stream a tug going up has the option of deviating from the injunctions contained in the above Article XXIX, in order to keep out of the current, if she can do so without danger to the vessel she is meeting. The tug is moreover bound, if she avails herself of this permission, to give the signals prescribed by the above Articles XXXI and XXXII.

XXXIX. As a general rule, any steam-vessel not towing a convoy, as well as every vessel sailing with a fair wind, is bound to give passage to a convoy of vessels in tow. In default of sufficient space for doing this, captains and masters, both of tugs and vessels in tow, are bound, even in cases where the signals prescribed by the preceding Articles XXXI, XXXII, and XXXIII, have not been given, to draw aside agreeably to the provisions of the said Articles, and to arrange in single file vessels in tow.

Captains and masters of tugs and vessels in tow, are, moreover, required in all cases of meeting other vessels to close together as near as possible, so as to leave to the others a sufficiently wide passage.

Paddle-wheel steamers, when navigating in the Sulina Channel, must not lash alongside them the vessels they have taken in tow. It is generally forbidden to navigate in the said channel with more than two vessels lashed abreast.

#### CHAPTER IV.—*Rules relative to Tracking from the Banks.*

XL. The paths that follow both banks of the Danube are specially intended to be used for the tracking of vessels either by men or draught animals; foot-passengers and carriages can also make use of them.

XLI. The towing-path must be free from all obstacles that can impede its use, such as bushes, trees, enclosures, houses, and other erections.

XLII. The establishment in the river, and especially near the banks, of boat mills, irrigating wheels, and other similar constructions, is forbidden, without a formal permission from the authority in charge of the river police.

XLIII. It is expressly forbidden to dig ditches across the towing-path, unless the proprietor of the ground undertakes to bridge over any such obstructions.

XLIV. Mooring-posts having been fixed along the Sulina, captains and masters must avoid driving stakes or fixing anchors on the towing-paths for the purpose of mooring their vessels.

XLV. If two vessels, tracking in opposite directions, meet at the side of the same bank, the one going up stream must stand out to let the other pass.

If a vessel tracked by draught animals comes up with one tracked by men, the latter must allow the former to pass.



In the case of a vessel tracked coming up with one moored to the bank, the captain of this latter must allow the sailors belonging to the tracking-vessel to come on board to carry over the tracking-rope.

XLVI. No attempt is to be made to pass a vessel tracked from the shore, unless it be by steering between her and the bank opposite the one from which she is being tracked. Vessels, when tracked, are bound, on their part, upon the signals prescribed by Articles XXXI and XXXII preceding, to keep as near as possible to the bank which they are skirting.

#### CHAPTER V.—*Rules for Navigation at Night, or in a Fog.*

XLVII. All steam-vessels navigating during the night (between sunset and sunrise), must be furnished with a white light, easily visible at a distance of at least two miles, hoisted at the foremast-head, a green light on the starboard side, and a red light on the port side.

The said green and red lights shall be fitted with inboard screens, so as to prevent these lights from being seen across the bow.

Sailing-vessels under weigh, or being towed, shall carry the same lights as steam-vessels under weigh, with the exception of the white foremast-head light, which they shall never carry. Steam-vessels, when towing other ships, shall carry two bright white mast-head lights vertically, in addition to their side lights, so as to distinguish them from other steam-vessels.

In the application of the rules prescribed in this Article, every steam-vessel which is under sail, and not under steam, is to be considered a sailing-vessel; and every steam-vessel which is under steam, whether under sail or not, is to be considered a vessel under steam.

XLVIII. Sailing-vessels, convoys in tow, and rafts, may not navigate when both banks of the river cannot be seen at the same time.

XLIX. In a fog, steamers may not navigate except at slackened speed. The bell on board must be struck without intermission, whilst a whistle must be sounded every 5 minutes. They are bound to drop anchor if the fog becomes so thick that they cannot see the bank they are following, or towards which they are steering.

L. Vessels are forbidden to leave their hawsers across the stream during the night, or in foggy weather.

#### CHAPTER VI.—*Rules for Vessels at Anchor.*

LI. Vessels are expressly forbidden to drop anchor or to moor in the channel of navigation. Except in the case provided for by Article LXVI hereinafter, it is equally forbidden to moor or to anchor vessels in the concave bends of the river,

even alongside the banks, under pain of being responsible for all damage that their presence there may occasion.

Outside the ports, two or more vessels may never be anchored or moored abreast of one another alongside the towing-path.

LII. If, in consequence of a fog, a vessel or raft is obliged to stop at any other than a regular mooring-place, the bell on board must be struck if the vessel is a steamer, if not, the fog-horn must be used. These signals must be repeated every 5 minutes.

LIII. Every vessel stopping in the river during the night must be furnished with a lighted lantern, which should be placed either at the end of one of the main yards, or on any other visible part of the vessel, on the side towards the channel, in such a manner that it may be seen equally well both up and down stream.

Rafts stationed at anchor during the night must carry two lights, one at each angle, on the channel side.

LIV. When a vessel, for the purpose of mooring, or getting off a bank, as provided for in the following chapter, is obliged to stretch a cable or chain across the channel, these moorings must be promptly slackened the moment another vessel wishes to pass.

#### CHAPTER VII.—*Rules for Cases of Stranding and Shipwreck.*

LV. Every captain or master of a vessel or raft, grounded in the Sulina Channel, is bound to station at a convenient spot, at least half a nautical mile above his vessel, a look out, charged with hailing vessels and rafts coming down stream, to acquaint them with the nature and place of the accident.

LVI. Steam vessels must go at half-speed only, whilst passing places where a vessel or raft has run aground or foundered.

LVII. Every shipwreck in the Sulina Channel is regarded with suspicion (extraordinary cases excepted), and is presumed, until the contrary has been proved, to be owing to negligence or evil intent on the part of the captain or crew of the wrecked vessel.

The pilot of the vessel is personally responsible for the wreck if caused by bad management.

LVIII. If, contrary to all probability, a vessel should be wrecked in the Sulina Channel, the captain is bound to use every effort to haul her immediately alongside one of the banks, so that she may not remain in the channel.

The captain of the wrecked vessel and his crew are bound to remain on board, or on the bank near the spot where the accident took place, until the report mentioned in Article LIX following, has been drawn up.

They are forbidden, under any pretext whatever, to remove any part of the ship's cargo, stores, anchors, chains, cables, &c.

LIX. Immediately after the wreck the pilot of the vessel must, as promptly as possible, acquaint the Inspector-General with the news, by means of the Superintendents of Police. The Inspector-General will proceed at once to the spot, and will draw up a detailed report of the accident, which he will forward to the competent authority.

LX. If the Inspector-General judges it necessary to take immediate measures in the interest of the navigation, he will summon for this purpose the captain of the wrecked vessel, who is bound either to declare on the spot that he abandons his vessel, or to act with his crew under the orders of the Inspector-General: the latter will superintend the salvage up to the point where the work ceases to be of public utility, and has become an affair of private interest.

The vessel whose salvage has been effected by the help of the authorities charged with the river police, is liable for the payment of a sufficient sum to cover the salvage expenses, and the keeping in repair the gear used for such purposes.

LXI. The works undertaken by owners, insurers, and interested parties, with the object of effecting the salvage of wrecked vessels and their cargoes, must be carried out under the superintendence of the Inspector-General or of his agents, and they may be temporarily suspended if considered to be of a nature likely to cause any hindrance whatever to the navigation.

LXII. If, besides the case of pressing necessity provided for in the above Article LX, the removal of the carcass or remains of a wrecked vessel is considered necessary, the owners, insurers, or other interested parties, are bound to accomplish it within a month from the time of receiving notice to this effect, in default of which the work may be officially performed by the Inspector-General within the limits determined above in Article LX. In this case the wrecked vessel with its equipments, or what remains of them, are specially affected to the payment of the expenses of removal.

LXIII. In cases of damage, particularly if caused by collision, the Inspector-General, if he is able to prove the facts of the case, and if he is called upon to do so by one of the parties concerned, will draw up a report of the same, which will be forwarded to the competent authority.

#### CHAPTER VIII.—*Rules for the Discharge of Ballast.*

LXIV. Vessels are strictly forbidden to throw their ballast overboard into the river or on the roadstead of Sulina; they are in like manner forbidden to discharge ballast into the parts

of the sea in the neighbourhood of the roadstead in depths of less than 10 fathoms.

The landing of ballast above the Port of Sulina, can only be carried on at the points of the river bank appointed by the Inspector-General of the Navigation, and made known by public notice.

The captain of the Port of Sulina appoints the places where ballast can be discharged in the port.

The discharged ballast must in every case be transported to such a distance that the foot of the heap shall be at least 20 English feet from the edge of the proper river bank.

The provisions of this Article are equally applicable to the throwing overboard of the cinders and ashes of steam-vessels.

LXV. To ensure as far as possible the fulfilment of the preceding Article, every vessel leaving the Port of Sulina in ballast, for a port higher up the river, must be provided with a certificate from the Captain of the Port, stating the draught of water caused by her ballast.

This certificate must be kept on board during the whole voyage up the river, to be produced upon every demand of the Inspector-General, or of his agents.

### PART III.—*Concerning the Police of the Port of Toultscha.*

LXVI. Every vessel lying at Toultscha must be moored to the right bank of the river. It is, however, to be understood, that there shall never be more than three vessels moored abreast.

LXVII. No vessel may drop anchor in the navigable channel off Toultscha, that is to say, on the right of the bollards, and red buoys fixed along the left bank of the river, nor between the posts on the right bank, bearing the sign of an anchor reversed.

LXVIII. Vessels are permitted to haul on the bollards and buoys to help them to double the Toultscha bend, but in no case are they allowed to use them as mooring-posts. It is understood that this provision does not apply to steamers making periodical voyages, which stop for a short time only off Toultscha.

It is also forbidden that two or more vessels haul on one buoy at the same time.

### PART IV.—*Concerning the Pilot Service at the Mouth and in the River.*

#### CHAPTER I.—*Pilot Service at the Mouth.*

LXIX. Pilotage at the river mouth being compulsory as stated in Article XIII of these present Regulations, a special corps of licensed and responsible pilots acts at Sulina, under the direction of a chief pilot, and of the Captain of the Port. These pilots bear the title of pilots of the first class.



LXX. A boat is held in readiness to take the pilots on board vessels which approach the port from the sea as soon as the look-out on the lighthouse tower signals their arrival.

Pilots are bound to go a mile to seaward of the head of the north pier to meet vessels.

LXXI. As soon as a pilot boards a vessel, he must acquaint her captain with the depth of water over the bar channel, and, in return, the latter is bound to state to the pilot the draught of water of his vessel, and the proportion of cargo which she has on board. This proportion is made known without delay by the pilot to the Captain of the Port.

LXXII. Every Pilot, not belonging to the Sulina corps, who happens to be on board a vessel prepared to cross the bar, is bound, immediately on the arrival of the local pilot, to give up to him entirely the direction of the ship.

LXXIII. On leaving the river, the local pilot is bound to conduct the vessel to at least a quarter of a mile to the east of the North Pier head.

LXXIV. The pilot dues, as well for entry into the river as for departure, being compromised in the navigation dues levied at Sulina, it is forbidden to pilots of the first class to receive any remuneration from the captains whose vessels they have piloted.

#### CHAPTER II.—*River Pilot Service.*

LXXV. Independently of the corps of pilots of the first class charged with piloting vessels across the Sulina Bar, and acting under the direction of the Captain of the Port, there is a special service of pilots, in like manner licensed and responsible, bearing the title of pilots of the second class, for merchant vessels navigating the river between Sulina and Ibraïla.

The River Pilot Service, properly so called, is placed under the superintendence of the Inspector-General of the Navigation. It is directed by a chief pilot, who has two offices, one at Ibraïla, the other at Galatz, and by a deputy chief pilot resident at Sulina.

LXXVI. Merchant captains ascending the river are not bound to take a licensed pilot when they make the voyage themselves on board their vessels, but the deputy chief pilot at Sulina, set over the River Pilot Service, is obliged to procure them one, even in this case, if they require it.

For descending the river every merchant vessel, of more than 60 tons register, must take a licensed pilot of the second class.

The same obligation exists for vessels of more than 60 tons register ascending the river without a captain or master on board.

LXXVII. The up-voyage commences from the time the

vessel leaves the Port of Sulina to ascend the river, and terminates with the arrival of the vessel either at its port of destination, or at Ibraïla when she is bound for a port above this latter, or for Matchin.

The down voyage commences at Ibraïla, or on leaving the port where the vessel has taken her cargo, or clearance if she goes down empty, in the case where the port is situated below Ibraïla. It terminates when the vessel takes her anchorage in the Port of Sulina.

Vessels sailing from Matchin, from Guetchid, or a port above Ibraïla, must take their pilot when passing Ibraïla: those sailing from the ports of Reni or Ismail, have the option of providing themselves with a pilot when passing Toultscha.

LXXVIII. Captains will arrange with the pilots the sum to be paid the latter for piloting their vessels up the stream. In case of dispute, however, on this point, the port authorities will not admit any claim on the part of pilots for a higher rate of wages than half a Dutch ducat a day for the voyage, in addition to subsistence on board.

The dues for piloting a vessel down stream are comprised in the collection of navigation dues levied at Sulina.

This pilotage due can be lawfully paid only into the hands of the Cashier of the Navigation Chest, at Sulina.

### CHAPTER III.—*Provisions common to the Pilot Service of both Mouth and River.*

LXXIX. The Inspector-General and the Captain of the Port of Sulina, each within the limits of his jurisdiction, will decide disputes arising between licensed pilots and merchant captains, in the event of their intervention being demanded by the latter.

LXXX. Licensed pilots are bound to report either to the Inspector-General or to the Captain of the port of Sulina, all infractions of the Regulations committed in their presence.

They are strictly forbidden to have any interest, either directly or indirectly, in any operation or concern connected with lighters.

LXXXI. Any pilot who shall from incompetency or evil intent be the cause of a collision, of grounding, or of wreck, shall be discharged, without prejudice, however, to the civil action which those interested may bring against him in the proper courts.

If the circumstances causing the accident are such as to entail criminal proceedings, the pilot will be delivered up to the proper authorities to be tried according to law.

### PART V.—*The Lighter Service.*

#### CHAPTER I.—*General Rules.*

LXXXII. The lighters of the Lower Danube are divided

into two classes, namely, those whose operations are purely local, whether at the Sulina mouth, or at any shallow passages in the river; and those used in the coasting trade, which load a cargo at one of the interior ports, and ship it for further transport on board a sea-going vessel at any point in the river, or in the port of Sulina, or on the roadstead.

LXXXIII. No one can undertake the local lighterage operations without having previously entered at the port office of Sulina the vessels intended to act as lighters, and before having been furnished with a licence delivered by the Captain of the Port.

Before delivering the licence the Captain of the Port causes the vessel intended for a lighter to be visited by a Commission, which judges whether it is in good condition, and ascertains at the same time its capacity in register tons and its burden in kilos of Constantinople. This examination is repeated every year.

The licence delivered by the Captain of the Port must always be forthcoming on board of the lighter.

Sea-going vessels provided with regular ship's papers can be employed occasionally for lightening other vessels, upon condition that the Captains make for each operation a special declaration, and deposit their papers, the muster-roll of the crew included, either at the port office at Sulina, if the vessel to be lightened is at the mouth of the river, or the office of the Inspector-General if the lighterage is to be effected in the river.

## CHAPTER II.—*Local Lighters.*

LXXXIV. Lighters (whether sailing or steam-vessels) must have no empty space in the hold, except such as is duly recognized by the Captain of the Port at the time of granting the licence.

LXXXV. Lighters having once gone alongside the vessels they are about to lighten, are forbidden to leave the said vessels before the latter have weighed anchor. The captain of a vessel that has been lightened has the option of placing, at his own expense, a guard of his own choosing on board the lighter he employs. Lighters going on to the roadstead are forbidden to take cargo on the upper deck.

LXXXVI. No lighter may leave the Port of Sulina to repair to the roadstead without the permit of the Captain of the Port. This permit must be shown to the guard-boat stationed, in conformity with Article XVI of these present Regulations, at the entrance to the port from the sea.

LXXXVII. As a general rule, lighters must leave the Port of Sulina at the same time as the vessels they have lightened. In the case, however, that a vessel employs several lighters the

Captain of the Port will regulate their departure in such a way that they may not have to remain in the Roads too long unable to effect the re-loading.

LXXXVIII. A lighter that has rejoined in the Roads the vessel she has lightened may not quit her on any pretext whatever until she has restored to her her cargo, except in case of circumstances beyond control. For operations of local lighterage effected in the river channel the lighters must keep company with the vessels lightened. As soon as the re-shipment of goods has been effected on board of the lightened vessel her captain is bound to give a written acknowledgment.

LXXXIX. Lighters on re-entering the Port of Sulina after having lightened a vessel must show their permit to the guard-boat which has power to inspect them.

Lighters quitting the Roads at dusk, or during the night, after having lightened a vessel that has left the river, must anchor at a place set apart for this purpose, and they may not further ascend the river till the following day.

XC. The superintendence of the operations of local lighterage which are carried on at the embouchure is exercised by the Captain of the Port of Sulina: that of the local lighterage in the river belongs to the Inspector-General or his agents.

### CHAPTER III.—*Concerning Coasting Lighters.*

XCI. The operations of coasting lighterage may be carried on either by sailing or steam-vessels towing schleppts, or vessels provided with regular papers, on condition that their captains or masters procure for each voyage from the proper consular or local authorities of the ports where they ship their cargoes, a certificate stating the nature and terms of each operation.

XCII. On the arrival of a coasting-lighter in the Port of Sulina, the master must report himself at the Captain of the Port's Office, and present the certificate above-mentioned.

If the lighter discharges the whole of her cargo within the port itself, she is required to moor alongside the vessel which is to receive her cargo, and she must not leave the same until she has finished unloading.

If she has had to discharge the whole or part of her cargo in the roads, the master must hand over the certificate prescribed by Article XCI to the Captain of the Port, who will thereupon give him a permit to pass out.

XCIII. The provisions of the present part, concerning local lighters, are equally applicable to those engaged in the coasting trade during their stay in the Port and Roads of Sulina.

Steam transports, however, and schleppts, are not subjected, in re-entering the port from the roads, to the inspection mentioned in Article LXXXIX preceding, except on the demand of one of the parties concerned, or in case of suspicion of fraud.



CHAPTER IV.—*Special Provisions for circumstances beyond control.*

XCIV. When a vessel is forced by stress of weather to quit the Roadstead of Sulina leaving all or part of its cargo on board a lighter, the master of the lighter is bound to return to the port, and temporarily to retain his cargo on board.

XCV. If, in the case provided for in the preceding Article, the lightened vessel does not reappear in the course of 12 days, the master of the lighter may demand of the Captain of the Port authority to unload his cargo and deliver it into the hands of the persons having a right to it; he may then exact payment of the freight-money agreed upon, as if he had placed the cargo on board the lightened vessel, but without any addition thereto.

If, before the expiration of the above specified period, the vessel returns to the roads and is again forced to put to sea, the days that had elapsed will not be counted, but a new period will commence, dating from her reappearance.

CHAPTER V.—*Special Provisions in cases of Fraud.*

XCVI. In case of suspicion of inaccuracy or of false statement of a lighter's burden, merchant captains have the power of seeing the tonnage verified by a special Commission named according to circumstances by the Captain of the Port of Sulina, or by the Inspector-General of the Navigation.

The expense of this survey will be borne by the captain who demanded it, unless inaccuracy or false statement is proved, in which case it will be at the charge of the lighter.

XCVII. If the captain of a lightened vessel has reason to think that part of his cargo has been embezzled on board the lighter chartered by him, he must make a declaration to that effect, either to the Captain of the Port of Sulina, or to the Inspector-General of the Navigation, who will thereupon take the measures which their special instructions prescribe to them.

PART VI.—*On Offences.*CHAPTER I.—*Assessment of Fines.*SECTION 1.—*Offences against the Provisions of Part I for the Police of the Roads and Port of Sulina.*

XCVIII. Every offence against the provisions of the second paragraph of Article IV, and against those of Articles VIII, X, XI, XIV, XVI, XIX, XX, XXI, and XXIII of the present Regulation, is punished with a fine of one ducat at least, and 5 ducats at most. The captain of every sea-going vessel, except the steamers engaged on postal service, found in the Danube, and whose agreement with his crew does not bear the stamp of which mention is made in Article XVII of the present Regula-

tion, or shall only bear one or more annulled stamps, is liable to a fine of 10 ducats at least, and of 50 ducats at most.

SECTION II.—*Offences against the Provisions of Part II for the River Police.*

XCIX. Every offence against the provisions of the first or of the second paragraph of Article XXV, and against those of Articles XXVII, XXIX, XXXI, XXXII, XXXIII, XXXIV, XXXVI, XXXVIII, XXXIX, XLI to LIV inclusively, LVI, LX, and LXV, is punished with a fine of 3 ducats at least, and of 10 ducats at most.

Every conductor of a raft or float of timber found navigating the Sulina branch, with a draught of water superior to that prescribed by the third paragraph of Article XXV hereinbefore enacted, is liable to a fine of 10 ducats at least, and of 50 ducats at most.

Every offence against the provisions of Article LXIV is equally punished with a fine of 10 ducats at least, and of 50 ducats at most, if there has been throwing overboard or prohibited discharge of ballast.

The fine is 5 ducats for throwing overboard of cinders or ashes in the channel of the Sulina branch, in the roadstead or neighbouring parts of the sea having less than 10 fathoms depth.

SECTION III.—*Offences against the Provisions of Part III on the Police of the Port of Toulcha.*

C. Offences against Articles LXVI, LXVII, and LXVIII are punished with a fine of from one to 5 ducats.

SECTION IV.—*Offences against the Provisions of Part IV on the Pilot Service.*

CI. Every offence against the provisions of the first paragraph of Article XIII, or against the second paragraph of Article LXXVI, is punished with a fine equal to four times the sum that the offending vessel would have had to pay for pilot dues, agreeably to the tariff in force.

Every refusal of the declarations prescribed by Article LXXI, or wilful inaccuracy in these declarations, either on the part of the captains or on the part of the pilots, and every offence against Article LXXII, are punished with a fine of 5 ducats at least, and 10 ducats at most.

Every offence committed by the licensed pilots of the first or second class, or by the Chief or Deputy Chief Pilots against the provisions of the present Regulation, or the instructions which are given to them, and on account of which no special penalty is inflicted, is punishable with a fine of which the maximum cannot exceed 30 ducats.

SECTION V.—*Offences against the Provisions of Part V for the Lighter Service.*

CII. Offences against Articles LXXXIII, LXXXIV, LXXXV, LXXXVI, LXXXVII, LXXXVIII, LXXXIX, XC, XCI, XCII, and XCIV are punished with a fine of from 5 to 10 ducats.

SECTION VI.—*Abusive Language and Assaults.*

CIII. Every instance of abusive language, or contempt of the agents charged with the police of the navigation, acting in the performance of their duties, as well as all abusive language or contempt of the authority from which the said agents hold their power, is punished with a fine of one ducat at least, and of 5 ducats at most.

If there is an assault upon the person of an Agent of Police when in the performance of his duty, the maximum of the fine may be raised to 15 ducats.

CHAPTER II.—*Rules for the Infliction of Fines.*

CIV. The maximum of a fine can be doubled in case of a second offence.

A second offence shall be considered to have been committed by a captain of a sea-going vessel when the two offences shall have been committed in one voyage, that is, without the vessel having quitted the Danube in the interval.

For masters of lighters and pilots there is a repetition of an offence when it is committed a second time in the space of one year.

CV. Offences occasioned by circumstances over which the offender has no control are not liable to fines.

CVI. Independently of fines to which they are sentenced, offenders may be prosecuted in the competent courts for the recovery of the damages to which they are civilly liable.

CVII. The Captains are personally responsible for the offences committed by their crews.

CVIII. The Inspector-General of the Navigation, and the Captain of the Port of Sulina, take cognizance of the offences committed within the bounds of their several jurisdictions against the provisions of the present Regulation, and pronounce in the first instance the infliction of the fines incurred by reason of these offences.

The notification of their sentence is made at Sulina, in the Chancellery of the Consular or Local Authority to which the party sentenced is amenable, if the offence has been committed during the down voyage. It is made to the same authority in the port the vessel is bound to, when the offence has been committed during the voyage up-stream. It can also be validly made to the person.

CIX. The amount of the fines is appropriated, up to 100 ducats a-year, to the endowment of the Fund of Relief established for Necessitous Pilots; the surplus is paid into the Navigation Chest, to be appropriated to the maintenance of the Sailors' Hospital established at Sulina.

CX. Appeals against the sentences of conviction must be carried, within 3 months from the date of notification, either before the European Commission or before the Mixed Tribunal which may eventually be instituted at Sulina.

In case of appeal, the amount of the fine is consigned to the Navigation Chest, and remains there as a deposit until the case has been settled.

The judgment rendered on the appeal is final, and can be the object of no further proceedings whatever.

An appeal will not be received after the expiration of 3 months from the date of notification; and the amount of the fine then remains forfeited to the Navigation Chest.

CXI. The present Regulation will enter in force on the 1st of March, 1865.

From that day the following regulations will cease to have force or law:

The provisional regulation concerning throwing ballast overboard, dated 29th April, 1858.

The provisional regulation concerning the police of the navigation between Isaktcha and Sulina, dated 27th June, 1860.

The provisional regulation concerning the pilot service, dated 9th July, 1860.

The provisional regulation for the police of the port and of the roadstead of Sulina, dated the same 9th July, 1860.

The provisional regulation concerning the lighter service, dated 26th July, 1860.

The provisional regulation for the police of the port of Toultscha, dated 20th September, 1861.

The arrangements concerning the control of the operations of the Navigation Chest, dated 17th October, 1862.

The supplementary provisions to the regulation concerning the throwing overboard of ballast, dated 13th November, 1862.

The transitory provisions concerning the navigation of rafts and floats of timber in the Sulina branch, dated 24th September, 1863.

Galatz, 21st November, 1864.

THE EUROPEAN COMMISSION OF THE DANUBE.



POSTAL CONVENTION *between Great Britain and Austria.\**  
*Signed at London, October 16, 1865.*

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THE General Post Office of the United Kingdom of Great Britain and Ireland, and the General Post Office of Austria, being desirous of improving, by means of a Convention, the postal service between the two countries :

The Undersigned, Edward John Lord Stanley of Alderley, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Her Britannic Majesty's Postmaster-General, and the Chevalier Ignatius de Schaeffer, Councillor to the Imperial Royal Ministry, and Director of the Austrian Consulate General in London ;

After having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles :

ART. I. There shall be a periodical and regular exchange of mails between the United Kingdom and Austria, as well for letters, newspapers, and printed papers of every kind, and patterns of merchandize originating in the two States, as for articles of the same nature originating in or destined for the countries the correspondence of which is forwarded through the United Kingdom or through Austria.

These mails shall be transmitted exclusively by the way of France, and shall contain only such letters, newspapers, printed papers, and patterns of merchandize as are specially addressed to be forwarded *viâ* France, or upon which the rates of postage required for their transmission by that route have been prepaid by the senders.

II. The British Post Office shall make use of the right which it possesses, under the Postal Convention between Great Britain and France, of exchanging closed mails with the Austrian Post Office, through the French territory, and the Austrian Post Office shall make use of the right which it possesses of exchanging mails with the British Post Office through the territories of Baden, Wurtemberg, and Bavaria.

III. The British Post Office shall pay to the French Post Office the transit rates of 80 centimes per ounce British for letters, and of 50 centimes per pound British for newspapers or other printed papers and patterns of merchandize, which will be due to France for the conveyance over the French territory of letters, newspapers, and other printed papers and patterns of merchandize, in both directions, between the United Kingdom of Great Britain and Ireland and Austria.

The Austrian Post Office shall pay any transit rates that may be due under the German Postal Union Convention for the conveyance of such letters, newspapers, and other printed

\* Signed also in the German language.

papers and patterns of merchandize, in both directions, over the territories of Baden, Wurtemberg, and Bavaria.

IV. The regular exchange of mails between the British and the Austrian offices shall be effected through the following Post Offices, namely:

On the side of the United Kingdom—London, Dover; on the side of Austria—Vienna, Salzburg.

V. Persons desirous of sending ordinary letters, that is to say, letters not registered, either from the United Kingdom of Great Britain and Ireland to the Austrian Provinces and the city of Belgrade, or from the Austrian Provinces and the city of Belgrade to the United Kingdom of Great Britain and Ireland, shall have the option of leaving the postage of such letters to be paid by the receivers, or of paying the postage in advance to the place of destination.

VI. The total amount of postage to be collected in the United Kingdom of Great Britain and Ireland upon ordinary paid letters originating in the United Kingdom and addressed to the Austrian Provinces and the city of Belgrade, as well as upon unpaid letters originating in the Austrian Provinces and the city of Belgrade, and addressed to the United Kingdom of Great Britain and Ireland, shall be as follows:

For every single paid letter, 6*d.*;

For every single unpaid letter, 8*d.*

Reciprocally, the total amount of postage to be collected in the Austrian Provinces and the city of Belgrade upon ordinary paid letters originating in the Austrian Provinces and the city of Belgrade, and addressed to the United Kingdom of Great Britain and Ireland, as well as upon unpaid letters originating in the United Kingdom and addressed to the Austrian Provinces and the city of Belgrade, shall be as follows:

For every single paid letter, 25 neukreutzer;

For every single unpaid letter, 33 neukreutzer.

With respect to letters above the weight of a single letter, which is fixed at a  $\frac{1}{4}$  of an ounce in the United Kingdom, and at  $\frac{1}{2}$  a zoll loth in the Austrian Provinces and the city of Belgrade, the British office shall apply the following scale of progression for all letters the postage of which is collected in the United Kingdom, viz.:

For every letter exceeding a  $\frac{1}{4}$  of an ounce and not exceeding  $\frac{1}{2}$  of an ounce, two rates of postage;

For every letter exceeding  $\frac{1}{2}$  an ounce and not exceeding  $\frac{3}{4}$  of an ounce, three rates of postage;

And so on, one rate being added for every additional quarter of an ounce.

And the Austrian office shall apply the following scale of progression for all letters the postage of which is collected in the Austrian Provinces or the city of Belgrade, viz.:

For every letter exceeding  $\frac{1}{2}$  a zoll loth and not exceeding a zoll loth, two rates of postage :

For every letter exceeding a zoll loth and not exceeding  $1\frac{1}{2}$ , 3 rates of postage :

And so on, one rate being added for every additional  $\frac{1}{2}$  a loth.

VII. The Post Offices of the two countries shall mutually account to each other for the portion of the postage which is due to each upon the letters dispatched from one office to the other. The Post Office of Austria shall pay to the British Post Office for every single paid letter forwarded from the Austrian Provinces and the city of Belgrade addressed to the United Kingdom of Great Britain and Ireland, the sum of 17 neukreutzer, and for every single unpaid letter forwarded from the United Kingdom of Great Britain and Ireland addressed to the Austrian Provinces and the city of Belgrade, the sum of 21 neukreutzer.

Reciprocally, the British Post Office shall pay to the Austrian Post Office for every single paid letter forwarded from the United Kingdom of Great Britain and Ireland, addressed to the Austrian Provinces and the city of Belgrade, the sum of 2*d.*, and for every single unpaid letter forwarded from the Austrian Provinces and the city of Belgrade, addressed to the United Kingdom of Great Britain and Ireland, the sum of 3*d.*

For every letter above the weight of a single letter, each office shall pay to the other an increased amount according to the scale of progression adopted in that country in which the postage is collected.

The letters which either of the two offices shall deliver to the other as paid to destination in virtue of the present Article shall not be charged with any rate or duty whatever to be paid by the receivers.

VIII. When the postage-stamps affixed to a letter forwarded from the United Kingdom of Great Britain and Ireland to the Austrian Provinces and the city of Belgrade, or forwarded from the Austrian Provinces and the city of Belgrade to the United Kingdom, shall represent a sum less than that required for the prepayment of the latter, at the rate of 6*d.*, or 25 neukreutzer per single letter, such letter shall be considered as unpaid and charged as such, after deducting the value of the stamps.

The amount of the sums paid, as well by the senders of insufficiently paid letters as by the persons to whom those letters are addressed, shall be divided between the Austrian Post Office and the British Post Office in accordance with the stipulations of Article VII preceding.

IX. Ordinary letters, forwarded by way of the United Kingdom of Great Britain and Ireland, whether from the countries and colonies mentioned in the Table A annexed to the present Convention to the Austrian Provinces and the



States, the correspondence of which is forwarded through Austria, or from the Austrian Provinces and the States, the correspondence of which is forwarded through Austria to those same countries and colonies, shall be exchanged between the British Post Office and the Austrian Post Office on the conditions set forth in the said Table.

X. Ordinary letters, forwarded by way of Austria, whether from the States mentioned in the Table B annexed to the present Convention to the United Kingdom of Great Britain and Ireland and the countries and colonies, the correspondence of which is forwarded through the United Kingdom, or from the United Kingdom of Great Britain and Ireland and the countries and colonies, the correspondence of which is forwarded through the United Kingdom to those same States, shall be exchanged between the Austrian Post Office and the British Post Office on the conditions set forth in the said Table.

XI. The inhabitants of both countries may send registered letters from one country to the other.

The postage of registered letters shall always be paid in advance.

A fee or additional charge, the amount of which the despatching office shall fix, may be levied over and above the postage to which such letters are liable, but no postage, duty, or tax whatsoever shall be levied on the delivery of registered letters forwarded from the United Kingdom of Great Britain and Ireland to Austria, or *vice versa*.

The British Post Office shall account to the Austrian Post Office for one half the registration fee levied in the United Kingdom upon registered letters addressed to the Austrian Provinces or the city of Belgrade, and, in like manner, the Austrian Post Office shall account to the British Post Office for one half the registration fee levied in the Austrian Provinces or the city of Belgrade upon registered letters addressed to the United Kingdom.

XII. The British Post Office may further deliver to the Austrian Post Office registered letters addressed to Botuschany, Plojeshte, Bakau, Berlad, Bucharest, Fookschan, Jassi, Piatra Roman, Tekertsch, Galatz, Giurgevo, Ibraila, Antivari, Durazzo, Valona, Philippopel, Prevesa, Rutschuk, Sofia, Adrianople, Beyrout, Bourgas, Caïfa, Candia, Canea, Cavalla, Chio, Tchernavoda, Dardanelles, Gallipoli, Jaffa, Constantinople, Kustendje, Ineboli, Lagos, Larnaka, Mitylene, Retimo, Rhodes, Salonica, Samsoun, Seres, Sinope, Smyrna, Sulina, Tenedos, Trebizond, Tultscha, Varna, Volo, Janina, Jerusalem, the Ionian Islands, Greece, Alexandria, Cairo, Damanour, Kaferzajat, Tanta, Birket-el-Sab, Bentra, Zagasik, Zifta, Miholla, Samanud, Mansoura, Damietta, Suez, and Porto Said.

And the Austrian Post Office may further deliver to the



British Post Office registered letters addressed to the United States of North America (including California and Oregon), to Liberia, or to the British Colonies of India, Malta, Gibraltar, Hong Kong, Labuan, the British West Indies, the Cape of Good Hope, St. Helena, Natal, Ceylon, Mauritius, New South Wales, Victoria, Tasmania, South Australia, Western Australia, Queensland, New Zealand, Newfoundland, Bermuda, Canada, New Brunswick, Nova Scotia, Prince Edward Island, Sierra Leone, Gambia, Lagos, the Gold Coast, and the Falkland Islands.

The British Post Office shall account to the Austrian Post Office upon every registered letter originating in the United Kingdom or in colonies or countries beyond sea, and forwarded by way of the United Kingdom and Austria, addressed to Cairo, Damanour, Kaferzajat, Tanta, Birket-el-Sab, Zagasik, Zifta, Miholla, Samanud, Mansoura, Damietta, Suez, or Porto Said, and Bentra, for the sum of 33 neukreutzer, and half a neukreutzer, in addition to the postage due to the Austrian Post Office, and upon every registered letter addressed to any of the other places to which registered letters may be sent through Austria for the sum of 12½ neukreutzer, in addition to the postage due to the Austrian Post Office.

On its side the Austrian Post Office shall account to the British Post Office for the sum of 7 pence, in addition to the postage due to the British Post Office, upon every registered letter originating in Austria, or in any of the countries the correspondence of which is forwarded through Austria, addressed to any of the countries or colonies to which registered letters may be sent through the United Kingdom.

With respect to registered letters addressed to the United States of North America, including California and Oregon, the Austrian Post Office shall further account to the British Post Office upon every such letter, in addition to the British postage specified in Table A, and to the registration fee of 7 pence specified above, for the amount of postage due to the United States Post Office for such letter, viz., 2½ pence per zoll loth when the letter is forwarded by British packet, and 10½ pence per zoll loth when the letter is forwarded by United States packet.

XIII. Subject to the following conditions, book packets, including under that designation newspapers and printed papers of every kind, shall be sent from the Austrian Provinces and the city of Belgrade to the United Kingdom of Great Britain and Ireland at such rates of postage as may be fixed from time to time by the Austrian Post Office, and from the United Kingdom to the Austrian Provinces and the city of Belgrade at such rates as may be fixed from time to time by the British Post Office :

1. The postage must be prepaid.
2. Book packets, insufficiently prepaid by means of postage

stamps, shall be charged with double the amount of the deficiency. The produce of this charge shall be retained by the office which collects it.

3. Every packet must be sent either without a cover, or in a cover open at the ends or sides, so as to admit of the examination of its contents.

4. A book packet may contain any number of separate books or other publications, prints, or maps, whether printed, engraved, or lithographed, and whether on paper, parchment, or vellum, as also photographs on paper, parchment, or vellum; further, all legitimate binding, mounting, or covering of a book, publication, &c., or of a portion thereof, shall be allowed, whether such binding, &c., be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise), in the case of books, and, in short, whatever is necessary for the safe transmission of literary or artistic matter or usually appertains thereto.

5. No book packet may contain any writing, figures, or manual marks whatsoever. Ordinary corrections in writing shall, however, be allowed in the case of book packets containing unbound proof sheets only.

6. No book packet must exceed 2 feet British in length, 1 foot British in width or depth, or 3 zoll pounds in weight.

XIV. Packets containing patterns or samples of merchandize may be sent from the United Kingdom of Great Britain and Ireland to the Austrian Provinces and the city of Belgrade, at such rates of postage as may be fixed from time to time by the British Post Office, and from the Austrian Provinces and the city of Belgrade to the United Kingdom, at such rates of postage as may be fixed by the Austrian Post Office.

The following conditions must, however, be observed with respect to such packets:

1. The patterns of merchandize must not be of intrinsic value.

No article of a saleable nature, or which has a value of its own apart from its mere use as a pattern, shall be sent at the rates applicable to patterns of merchandize; and the quantity of any material sent ostensibly as a pattern shall not be so great that it could fairly be considered as having, on this ground, an intrinsic value.

2. The postage must be prepaid. Packets of patterns insufficiently prepaid by means of postage stamps shall be charged with double the amount of the deficiency. The produce of this charge shall be retained by the office which collects it.

3. The patterns of merchandize must not bear any other writing, in addition to the address of the sender and the address of the person for whom they are intended, than a manufacturer's or trade mark, numbers, and prices; and these particulars must in all cases be given, not on loose pieces of paper, but on small

labels attached to the patterns, or the bags, or boxes, containing them.

4. The patterns of merchandize must be sent, as in the case of books, in covers open at the ends, so as to admit of easy examination. Samples, however, of seeds, drugs, and articles of a similar description, which cannot be sent in open covers, shall be allowed to be enclosed in boxes, or in bags of linen, paper, or other material, fastened in such a manner that they may be readily opened; or such samples may be sent in bags entirely closed, provided the bags are transparent so that the officers of the Post Office may be able to satisfy themselves as to the nature of the contents.

5. No article which might injure the contents of the mail bags, or the persons of the officers of the Post Office, shall be sent through the post as a pattern of merchandize.

6. No packet containing patterns of merchandize must exceed two feet British in length, or one foot British in width or depth.

7. No packet containing patterns of merchandize which exceeds the weight of 8 ounces British shall be sent free from the United Kingdom of Great Britain and Ireland to the Austrian Provinces and the city of Belgrade. In like manner, no packet containing patterns of merchandize which exceeds the weight of 15 zoll loth shall be sent from the Austrian Provinces and the city of Belgrade to the United Kingdom of Great Britain and Ireland.

Patterns of merchandize respecting which the conditions specified above are not complied with shall not be forwarded.

Subject to the foregoing conditions, patterns, or samples of merchandize may also be sent from the Austrian Provinces and the city of Belgrade, by way of the United Kingdom of Great Britain and Ireland, to those British colonies or countries beyond sea which have already agreed, or which may hereafter agree with the British Post Office for the transmission of patterns at the same rates of postage and under the same general regulations as printed papers.

The British Post Office shall inform the Austrian Post Office from time to time to what British colonies and countries beyond sea the Austrian Post Office may forward patterns and samples of merchandize in transit through the United Kingdom.

XV. The British Post Office shall pay to the Austrian Post Office, on such of the book packets and patterns of merchandize mentioned in Articles XIII and XIV preceding as shall originate in the United Kingdom of Great Britain and Ireland, as well as on prepaid book packets and patterns of merchandize passing in transit through the United Kingdom, the sum of 5*d.* per zoll pound net weight.

The Austrian Post Office, on its side, shall pay to the British



Post Office, on such of the book packets and patterns of merchandize mentioned in Articles XIII and XIV preceding as shall originate in the Austrian Provinces and the city of Belgrade as well as on prepaid book packets and patterns of merchandize passing in transit through the Austrian Provinces, the sum of 21 neukreutzer per zoll pound net weight for the entire service to be rendered by the British Post Office, and the like sum of 21 neukreutzer per zoll pound in repayment of the transit rate through France.

XVI. No postage whatever shall be charged by the Austrian Post Office upon the delivery of newspapers and other printed papers or patterns of merchandize originating in the United Kingdom of Great Britain and Ireland, and addressed to the Austrian Provinces and the city of Belgrade, and, in like manner, no postage whatever shall be charged by the British Post Office upon the delivery of newspapers and other printed papers or patterns of merchandize originating in the Austrian Provinces and the city of Belgrade, and addressed to the United Kingdom of Great Britain and Ireland.

It is nevertheless understood that this provision does not in any way invalidate the right of either office to refuse to deliver newspapers or other printed papers, the importation of which may be prohibited by the laws and regulations of the country to which they are forwarded.

So long as any stamp duty or other charge is levied in the Austrian Provinces and the city of Belgrade upon newspapers or other printed papers originating in the United Kingdom of Great Britain and Ireland, the amount of such stamp duty or other charge shall be paid over by the Austrian Post Office to the British Post Office.

XVII. The Austrian Post Office shall pay to the British Post Office for the conveyance across the United Kingdom of Great Britain and Ireland of book packets and patterns of merchandize in transit, which the British Post Office shall convey through its territory on account of the Austrian Post Office, the sum of 21 neukreutzer per zoll pound net weight.

The Austrian Post Office shall further pay to the British Post Office for the sea conveyance of book packets and patterns of merchandize which shall be conveyed on account of the Austrian Post Office by British mail packets or by private ships leaving or arriving at the ports of the United Kingdom of Great Britain and Ireland, the sum of 21 neukreutzer per zoll pound net weight.

In consideration of the expense incurred by the British Post Office for the conveyance of Mails across the Isthmus of Suez or the Isthmus of Darien, the Austrian Post Office shall further pay to the British Post Office for book packets and patterns of merchandize which the Austrian Post Office shall



forward or receive by British mail packets and by way of either Isthmus, viz. :

For the conveyance of book packets and patterns of merchandize across the Isthmus of Suez, a transit rate of  $4\frac{1}{2}$  neukreutzer per zoll pound net weight.

For the conveyance of book packets and patterns of merchandize across the Isthmus of Darien, a transit rate of 20 neukreutzer per zoll pound net weight.

It is understood that in the event of the expenses borne by the British Post Office for the conveyance of book packets and patterns of merchandize across either isthmus being increased or diminished, the sums here mentioned shall be increased or diminished in an equal proportion.

Reciprocally, the British Post Office shall pay to the Austrian Post Office for the conveyance across Austria of book packets and patterns of merchandize in transit, which the Austrian Post Office shall convey through its territory on account of the British Post Office, the sum of 5*d.* per zoll pound net weight.

The British Post Office shall further pay to the Austrian Post Office for the sea conveyance of book packets and patterns of merchandize which shall be conveyed on account of the British Post Office by Austrian mail packets or by private ships leaving or arriving at the ports of Austria, the sum of 2*d.* per zoll pound net weight.

XVIII. The Post Office of Trieste and the Austrian Post Office in Alexandria (Egypt) may exchange mails with the British Post Offices in Aden, Bombay, Calcutta, Madras, Point de Galle, Port Louis, Penang, Singapore, Hong Kong, King George's Sound, Adelaide, Geelong, Melbourne, Hobart Town, Launceston, Sydney, Brisbane, Auckland, and Wellington.

The Austrian Post Office shall pay to the British Post Office, for the conveyance through Egypt and for the sea conveyance by British mail packets of every single letter forwarded from Trieste or from Alexandria addressed to any of the places enumerated above, a rate of postage of 25 neukreutzer, and upon book packets the sum of 38 neukreutzer per zoll pound.

The British postage of all letters and book packets forwarded from Aden, Bombay, Calcutta, Madras, Point de Galle, Port Louis, Penang, Singapore, Hong Kong, King George's Sound, Adelaide, Geelong, Melbourne, Hobart Town, Launceston, Sydney, Brisbane, Auckland, or Wellington, in the mails for the Austrian Post Office in Alexandria, or for Trieste, will be collected in advance; but the British Post Office promises to do all in its power to obtain for the Austrian Post Office the option of receiving and sending unpaid, or paid to destination, letters coming from or addressed to the East Indies and Australia.

XIX. In return for the privilege granted by Article XVIII

preceding, the Post Office of London shall be permitted to exchange, both *viâ* Kustendje and *viâ* Trieste, closed mails with the British Post Office in Constantinople, or of any of the places in the Levant served by the Austrian mail packets.

The British Post Office shall pay to the Austrian Post Office for the letters and book packets and patterns of merchandize contained in such closed mails, the rates of postage respectively fixed by Articles X and XVII of the present Convention.

XX. Ordinary or registered letters, book packets, and patterns of merchandize misdirected or missent shall be reciprocally returned without delay through the respective offices of exchange for the same weight and amount of postage at which they were charged by the dispatching office to the other office.

The articles of a like nature addressed to persons who have changed their residence shall be mutually forwarded or returned, charged with the rate that would have been paid by the receivers.

XXI. Ordinary or registered letters, book packets, and patterns of merchandize exchanged in ordinary mails between the two Post Offices of Great Britain and Austria, which from whatever cause cannot be delivered, shall be mutually returned at the expiration of every week. Such of these articles as shall have been charged in the accounts, shall be returned for the amount of postage which was originally charged by the sending office.

Those which were sent paid to destination shall be returned without postage or charge.

XXII. The British Post Office and the Post Office of Austria shall hereafter consider whether it is expedient to substitute for the regulations agreed upon in this Convention with respect to the mode in which the two offices are to account to each other for letters exchanged between the United Kingdom and Austria, an arrangement by which payment shall be made according to the net weight of the correspondence; and, in the event of such a mode of exchange being determined upon, the two offices shall settle, from time to time, the rate per ounce or per loth to be paid by one office to the other upon each class of correspondence.

XXIII. Ordinary letters, registered letters, book packets, and patterns of merchandize exchanged between the two Post Offices of Great Britain and Austria which shall have been paid to destination, or for some part of the distance beyond the territory of the despatching office, shall be marked in a conspicuous part of the address with an impression in red ink of a stamp intended to denote to the respective offices of exchange the extent of prepayment.

The stamp P.D. shall be impressed on ordinary or registered

letters, as well as on book packets and patterns of merchandize, which shall be prepaid to destination.

The stamp P.P. shall be impressed on ordinary letters, as well as on book packets and patterns of merchandize, which shall be prepaid for some part of the distance beyond the territory of the dispatching office.

XXIV. Each of the mails exchanged between the Post Offices of the two countries shall be accompanied by a letter bill, in which the dispatching office shall state the nature of the articles which the mail contains, and the amount of postage due to each office. The office to which the mail shall be forwarded shall acknowledge its receipt to the dispatching office by return of post.

The letter bills and acknowledgments of receipt of the Post Offices of London and Dover for the offices of Vienna and Salzburg shall be according to the forms annexed to the present Articles.

The letter bills and acknowledgments of receipt which the offices of Vienna and Salzburg shall use in their communications with the British Offices of Exchange shall agree with the forms above described.

XXV. If it should happen on the usual days and hours for making up the mails that an Office of Exchange has not any letter to forward to the corresponding office, the dispatching office shall, nevertheless, send in the ordinary way a mail which shall contain a blank letter bill.

XXVI. The British Post Office shall every month prepare separate accounts, exhibiting the results of the transmission between the respective Offices of Exchange of the correspondence mutually exchanged. Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the month.

XXVII. The separate accounts described in the preceding Article shall be incorporated every month in general accounts showing the result of the transmission of the correspondence exchanged, either in ordinary or closed mails, between the Post Office of Great Britain and the Post Office of Austria.

XXVIII. The general accounts mentioned in the preceding Article shall be compared and settled by the two offices, and the balance shall be paid at the end of every quarter by that office which shall be found to be indebted to the other.

XXIX. The present Convention shall come into operation on the day on which the two offices shall agree, and shall continue in force until one of the two Contracting Parties shall have announced to the other, one year in advance, its intention to terminate it.

Done in duplicate, and signed at London the 16th day of October, 1865.

SCHAEFFER.

STANLEY OF ALDERLEY.

(A.)—TABLE showing the Conditions on which shall be exchanged between the British Post Office and the Austrian Post Office Ordinary Letters despatched from the Countries the Correspondence of which is transmitted through Great Britain for Austria, and Countries via Austria, and *vice versa*.

The Rates marked thus \* in Columns 4 and 9 increase according to two different principles. The sum of 5*d.* out of each Rate in Column 4, and the sum of 4*d.* out of each rate in Column 9, are chargeable by the half zoll loth, and the remainder of the Rate by the zoll loth.  
 The Rates marked thus † increase wholly by the half zoll loth. A full Rate is chargeable for every half a zoll loth.  
 The Rates in Columns 5 and 10 increase wholly by the quarter ounce. A full Rate is chargeable for every quarter of an ounce.

Letters delivered by the British Office to the Austrian Office.				Letters delivered by the Austrian Office to the British Office.					
1.  COUNTRIES.	2.  Regulation as to Payment in advance.	3.  To what Limit.	Rate of Postage to be paid by the British Office to the Austrian Office for a Letter not exceeding half a zoll loth.		7.  Regulation as to Payment in advance.	8.  To what Limit.	Rate of Postage to be paid by the Austrian Office to the British Office for a Letter not exceeding half a zoll loth.		11.  Originating in Countries via Austria.
			4.  s. d.	5.  Addressed to Austria.			9.  s. d.	10.  Originating in Austria.	
Antigua, Bahamas, Barbadoes, Bermuda, British Guiana, Carriacou, Dominica, Grenada, Honduras, Jamaica, Montserrat, Nevis, St. Christopher (St. Kitts), St. Lucia, St. Vincent, Tobago, Tortola, Trinidad.	Optional	Destination ...	* 1 4	2  { The same rate as for paid Let- ters coming from England	Optional.	Destination ...	* 1 3	3  { The same rate as for unpaid Let- ters addressed to England	
Canada { by Canadian Packet ... }									
{ via United States... }									
Nova Scotia, New } via Halifax									
Brunswick, Prince } via United									
Edward Island. } States.									
Newfoundland ...									
Cape of Good Hope, Natal, St. Helena ...									
{ ... }									
{ ... }									





(B).—TABLE showing the Conditions on which shall be exchanged between the Austrian Post Office and the British Post Office Ordinary Letters despatched from Foreign Countries the Correspondence of which is transmitted through Austria for Great Britain, and Countries via Great Britain, and *vice versa*.

The rates in Columns 5 and 9 increase according to two different principles. The sum of 13 kreutzer out of each rate in Column 5, and the sum of 8 kreutzer out of each rate in Column 9, are chargeable by the half zoll loth, and the remainder of the rate by the zoll loth; except that in the case of the rates marked \* the whole is chargeable by the half zoll loth.

Letters delivered by the Austrian Office to the British Office.				Letters delivered by the British Office to the Austrian Office.			
Regulation as to Payment in Advance.	To what Limit.	Rate of Postage to be paid by the Austrian Office to the British Office for a single unpaid Letter.	Rate of Postage to be paid by the British Office to the Austrian Office.	Regulation as to Payment in Advance.	To what Limit.	Rate of Postage to be paid by the Austrian Office to the British Office for a single unpaid Letter.	Rate of Postage to be paid by the British Office to the Austrian Office.
2.	3.	4.	5.	6.	7.	8.	9.
<b>FOREIGN COUNTRIES.</b>							
1.							
Moldavia and Wallachia: Botoschany, Ploeshie Bakan, Berlad, Bucharest, Fookschan, Jassy, Platra, Roman, Teletsch Galatz, Giurgevo, Ibraia *Other places in Moldavia and Wallachia	Destination Do. Do. To whichever of the places named is nearest to the place of posting. Belgrade	Optional Do. Do. Compulsory	17 17 17 17	Optional Do. Do. Compulsory	Destination Do. Do. To whichever of the places named is nearest to the place of destination. Belgrade	21 21 21 ...	13 15 23 The same as above.
Servia, with the exception of Belgrade Turkey:	Destination Do.	Do.	17	Do.	Destination Do.	...	8
Antivari, Durazzo, Valona Philippopol, Prevesa, Rustschuk Sofia Adrianople, Beyrout, Bourgas, Caifa, Candia, Canea, Cavalla, Chio, Tchernavoda, Baniannelles, Gallipoli, Jaffa, Constantinople, Kustendjie, Ineboli, Lagos, Larnaca, Mitylene, Retimo, Rhodes, Salonica, Samosoun, Serres, Sinope, Smyrna, Sulina, Tenelios, Trebizond, Tulcha, Varna, Volo	Destination Do.	Optional Do.	17 17	Optional Do.	Destination Do.	21 21	13 23
Jerusalem Alexandretta, Latakia, Mersina, Tripoli (Syria) Other places in Turkey	Smyrna or Beyrout To whichever of the places named is nearest to the place of posting. Destination Do.	Do. Do. Compulsory Do.	17 17 17 17	Do. Do. Compulsory Do.	Do. Do. Smyrna or Beyrout To whichever of the places named is nearest to the place of destination. Destination Do.	21 21 ...	23 23 23 The same as above.
Ionian Islands Greece Egypt:	Destination Do.	Optional Do.	17 17	Optional Do.	Destination Do.	21 21	23 23
Alexandria Cairo, Damanour, Kaferajaf, Tanta, Birket el'Sab, Bentra Zagazik, Zita, Mitholia, Samanud Mansoura, Damietta Suez, Porto Said Other places in Egypt	Do. Do. Do. Do. Do. Do. Do.	Do. Do. Do. Do. Do. Do. Compulsory	17 17 17 17 17 17 17	Do. Do. Do. Do. Do. Do. Compulsory	Do. Do. Do. Do. Do. Do. Alexandria	21 21 21 21 21 21 ...	23 23 23 23 23 23 23

BRITISH TREASURY WARRANT, *for carrying into effect the Postal Arrangements with Austria.* December 22, 1865.

WHEREAS by an Act of Parliament made and passed in the session of Parliament holden in the third and fourth years of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid:

And whereas further powers are given to the Commissioners of Her Majesty's Treasury, by another Act, made and passed in the session of Parliament holden in the tenth and eleventh years of the reign of Her Majesty, chapter 86,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office:

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, made and passed in the eighteenth year of the reign of Her Majesty, chapter 27,‡ for amending the laws relating to the stamp duties on newspapers, and for providing for the transmission by post of printed periodical publications:

And whereas a Convention hath been lately made and concluded between the General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of *Austria* [16th October, 1865],§ for the purpose of improving the postal service between the United Kingdom and *Austria*, and it is expedient for the better carrying out of the same that certain regulations should be made in the manner hereinafter mentioned and contained:

Now, we the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said herebefore recited Acts of Parliament respectively, and all and every or some or one of them, and of all other powers enabling us in this behalf, do by this Warrant under the hands of two of us the said Commissioners (by the authority of the statute in

\* See Vol. 5, p. 248.

† See Vol. 8, p. 247.

‡ See Vol. 10, p. 320.

§ See Page 143.

that case made and provided), order, declare, and direct as follows, that is to say :

1. On every letter not exceeding one quarter of an ounce in weight, posted in the United Kingdom, addressed to any place in *Austria* or to the city of *Belgrade*, or posted in the city of *Belgrade*, or in any place in *Austria*, addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom and any place in *Austria* or the city of *Belgrade*, *viâ France*, there shall be charged and taken and paid a uniform rate of postage (British and *Foreign* combined) of 6 pence, if such respective letters be prepaid, and if such respective letters be not prepaid, a uniform rate of postage (British and *Foreign* combined) of 8*d.*

2. On every letter not exceeding one quarter of an ounce in weight, posted in the United Kingdom, addressed to any *Foreign* country, or posted in any *Foreign* country addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom and any such *Foreign* country, *viâ France* and *Austria*, there shall be charged and taken and paid a uniform rate of British postage of 2*d.*, if such respective letters be prepaid, and if such respective letters be not prepaid, a uniform rate of British postage of 3*d.*

3. On every letter not exceeding one quarter of an ounce in weight, posted in any place in *Austria* or in the city of *Belgrade*, addressed to any of Her Majesty's *Colonies* or any *Foreign* country, or posted in any of Her Majesty's *Colonies* or any *Foreign* country, addressed to any place in *Austria* or to the city of *Belgrade*, and transmitted by the post between any place in *Austria* or the city of *Belgrade*, and any of Her Majesty's *Colonies* or any *Foreign* country through the United Kingdom, the said respective letters being conveyed between *Austria* and the United Kingdom *viâ France*, there shall be charged and taken and paid for such transmission thereof through the United Kingdom a uniform rate of British postage of 2*d.*, if such respective letters be prepaid, and if such respective letters be not prepaid, a uniform rate of British postage of 3*d.*

4. On every letter not exceeding one quarter of an ounce in weight, transmitted between the port of *Trieste* and *Alexandria* by *Austrian* packet-boat, and further transmitted between *Suez* and any port in the *East Indies*, *China*, *Australia*, or *New Zealand*, by British packet-boat, and on every letter not exceeding one quarter of an ounce in weight posted at the *Austrian* Post Office in *Alexandria*, addressed to any place in the *East Indies*, *China*, *Australia*, or *New Zealand*, or posted in any place in the *East Indies*, *China*, *Australia*, or *New Zealand*, and forwarded from thence in a mail addressed to *Trieste* or the *Austrian* Post Office in *Alexandria*, and transmitted by British



packet-boat between *Suez* and any port in the *East Indies*, *China*, *Australia*, or *New Zealand*, without in any of such cases passing through the United Kingdom, there shall be charged, taken, and paid for such transmission thereof respectively, between *Suez* and any port in the *East Indies*, *China*, *Australia*, or *New Zealand*, a uniform rate of British postage of 6*d*.

5. On every letter so transmitted, as is hereinbefore in this Warrant respectively mentioned, if exceeding one quarter of an ounce in weight, there shall be charged, taken, and paid the several further and additional and progressive rates of postage according to the scale of weight and number of rates hereinafter mentioned, that is to say :

On every such letter so transmitted exceeding one quarter of an ounce in weight, and not exceeding one half of an ounce in weight, 2 rates of postage ;

On every such letter so transmitted exceeding one half of an ounce and not exceeding three quarters of an ounce in weight, 3 rates of postage ;

On every such letter so transmitted exceeding three quarters of an ounce and not exceeding one ounce in weight, 4 rates of postage ;

And for every quarter of an ounce in weight of any such letter above the weight of one ounce, there shall be charged, taken, and paid one additional rate of postage ; and in charging any additional rate of postage, every fractional part of such additional quarter of an ounce shall be charged as an additional quarter of an ounce in weight ; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant if not exceeding one quarter of an ounce in weight.

6. On every letter not exceeding one half of an ounce in weight, posted in any place in *Austria* or in the city of *Belgrade*, addressed to any of Her Majesty's *Colonies* or any *Foreign* country, or posted in any of Her Majesty's *Colonies* or any *Foreign* country addressed to any place in *Austria* or to the city of *Belgrade*, and transmitted by the post between any place in *Austria* or the city of *Belgrade* and any of Her Majesty's *Colonies* or any *Foreign* country through the United Kingdom, the said respective letters being conveyed between *Austria* and the United Kingdom *viâ France*, there shall be charged, taken, and paid over and above the uniform rate of British postage mentioned in the third clause of this Warrant, for the transmission thereof through the United Kingdom, such a further or additional rate of British postage for the conveyance of every such letter between the port in the United Kingdom, of the departure or arrival of the packet or vessel (not being a packet-boat) conveying the same, and the *Colony* or *Foreign* country

to or from which the same shall be forwarded, as shall from time to time be charged and payable for British postage on letters not exceeding one half of an ounce in weight, posted or delivered at the port in the United Kingdom of the departure or arrival of the packet or vessel (not being a packet-boat) conveying the same, and transmitted direct between such port and any such *Colony* or *Foreign* country: provided that, in all cases where such additional rate includes both inland and sea services, there shall be deducted therefrom the sum of one penny in respect of the inland conveyance under this clause of every such letter sent through the United Kingdom.

7. On every such letter transmitted as hereinbefore in the sixth clause of this Warrant mentioned, if exceeding one half of an ounce in weight there shall be charged, taken, and paid the several further and additional and progressive rates of postage hereinafter mentioned, that is to say:

On every such letter, if exceeding one-half of an ounce in weight, and not exceeding one ounce in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such letter, if exceeding one ounce and not exceeding one ounce and the half of another ounce in weight, 3 rates of postage;

And on every such letter, if exceeding one ounce and the half of another ounce, and not exceeding two ounces in weight, 4 rates of postage;

And for every additional half of an ounce in weight of any such letter above the weight of two ounces, there shall be charged, taken, and paid one additional rate of postage, and every fractional part of such additional half of an ounce in weight shall be charged as an additional half of an ounce in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding one-half of an ounce in weight.

8. If any letter transmitted by the post under the authority of the first clause of this Warrant shall be posted, and the postage-stamp or stamps affixed thereto shall represent a less amount than the rate of postage to which the same would be liable under or by virtue of this Warrant, every such letter shall be charged with postage as an unpaid letter, and the amount of such postage paid thereon or stamp or stamps affixed thereto, shall be allowed and deducted in charging such postage thereon.

9. Registered letters may be transmitted by the post under the authority of this Warrant, upon the payment of such additional charges or rates of postage, or otherwise, as the Postmaster-General may from time to time direct or appoint in that behalf: provided that all rates of postage and additional

charges or rates from time to time payable thereupon shall be prepaid, and that no payment shall be made thereupon on the delivery of any such registered letters.

10. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions or privileges granted by the said first hereinbefore recited Act, or to annul, prejudice, or affect any of the privileges which seamen and soldiers employed in Her Majesty's service are now by law entitled to, of sending and receiving by the post letters not exceeding one-half of an ounce in weight, subject to the regulations and restrictions made and in force for the time being, in respect of the same.

11. On every packet consisting of a printed British newspaper not exceeding 4 ounces in weight, posted in the United Kingdom addressed to any place in *Austria* or to the city of *Belgrade*, and transmitted by the post from any part of the United Kingdom to any place in *Austria* or the city of *Belgrade*, *viâ France*, and on every packet consisting of a printed British newspaper not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to any *Foreign* country, and transmitted by the post from any part of the United Kingdom to any *Foreign* country, *viâ France* and *Austria* (the conveyance from *Austria* to such *Foreign* country being otherwise than by *Austrian* mail packet-boats, and otherwise than by private ships), there shall be charged, taken, and paid an uniform rate of postage (British and *Foreign* combined) of 2*d.*; and every such packet shall be transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto.

12. On every packet consisting of a printed British newspaper, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to any *Foreign* country, and transmitted by the post from any part of the United Kingdom to any *Foreign* country, viz., *France* and *Austria* (the conveyance from *Austria* to such *Foreign* country being by *Austrian* mail packet boat, or by private ship), there shall be charged, taken, and paid an uniform rate of postage (British and *Foreign* combined), of 3*d.*; and every such packet shall be transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto.

13. All packets consisting of printed papers other than British newspapers, or consisting of patterns or samples of merchandize of no intrinsic value, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to any place in *Austria*, or to the city of *Belgrade*, and transmitted by the post from any part of the United Kingdom to any place in



*Austria*, or to the city of *Belgrade*, *viâ France*, and all packets consisting of printed papers, other than British newspapers, or consisting of patterns or samples of merchandize of no intrinsic value not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to any *Foreign* country, and transmitted by the post from any part of the United Kingdom, to any *Foreign* country, *viâ France* and *Austria* (the conveyance from *Austria* to such *Foreign* country being otherwise than by *Austrian* mail packet boats, and otherwise than by private ships), may be so transmitted respectively in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto; and there shall be charged, taken, and paid, for the transmission of every such packet, an uniform rate of postage (British and *Foreign* combined) of 4*d*.

14. All packets consisting of printed papers other than British newspapers, or consisting of patterns or samples of merchandize of no intrinsic value, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to any *Foreign* country, and transmitted by the post from any part of the United Kingdom to any *Foreign* country, *viâ France* and *Austria* (the conveyance from *Austria* to such *Foreign* country being by *Austrian* mail packet boat, or by private ship), may be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto; and there shall be charged, taken, and paid for the transmission of every such packet an uniform rate of postage (British and *Foreign* combined) of 5*d*.

15. All packets consisting of printed papers other than newspapers, or consisting of patterns or samples of merchandize of no intrinsic value, not exceeding 4 ounces in weight, posted in any place in the *East Indies*, *China*, *Australia*, or *New Zealand*, and forwarded from thence in a mail addressed to *Trieste*, or the *Austrian* Post Office in *Alexandria*, and transmitted by British packet boat from any port in the *East Indies*, *China*, *Australia*, or *New Zealand* to *Suez*, without passing through the United Kingdom, there shall be charged, taken, and paid for such transmission thereof respectively, from any port in the *East Indies*, *China*, *Australia*, or *New Zealand*, to *Suez*, an uniform rate of British postage of 3*d*.

16. All packets transmitted respectively under the authority of the 11th, 12th, 13th, 14th, and 15th clauses of this Warrant, hereinbefore respectively contained, shall, if exceeding the weight of 4 ounces, respectively, be subject to the several further and additional and progressive rates of postage hereinafter mentioned, that is to say:

On every such packet so transmitted, if exceeding 4 ounces



in weight and not exceeding one half of a pound in weight, 2 rates of postage ;

And on every such packet if exceeding one half of a pound, and not exceeding one pound in weight 4 rates of postage ;

And on every such packet, if exceeding one pound and not exceeding one pound and one half of another pound in weight, 6 rates of postage ;

And on every such packet, if exceeding one pound and one half of another pound, and not exceeding two pounds in weight, 8 rates of postage ;

And for every additional half of a pound in weight of any such packet above the weight of two pounds, there shall be charged, taken, and paid two additional rates of postage ; and in charging any additional rates of postage, every fractional part of such additional half of a pound shall be charged as an additional half of a pound in weight, and each progressive and additional rate chargeable under this clause, shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 4 ounces in weight.

17. As to all packets hereinbefore in the 11th, 12th, 13th, and 14th clauses of this Warrant, respectively, authorized to be sent by the post, the postage thereof shall, in every case, be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto ; and as to all packets hereinbefore in the 15th clause of this Warrant respectively authorized to be sent by the post, the postage thereof shall, in every case, be paid at the time of the same being posted, either in money or by being stamped with the proper *Colonial* postage stamp or stamps affixed thereto, which stamp or stamps shall, in every case, be affixed or appear on outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon, under or by virtue of this Warrant (unless any such packet be sent from any department or office in or connected with the public service of Her Majesty which shall have a postage account with the General Post-Office in London, in which case the same shall be forwarded post paid, and the postage thereof shall be charged in such postage account) ; and if any such packet shall be posted without any postage having been paid thereon in the manner hereinbefore mentioned, every such packet shall and may be detained and opened, and shall be returned or given up to the sender thereof, and on being so returned or given up, shall, at the option of the Postmaster-General, be either free of postage or be charged with any rate of postage he may think fit, not exceeding the postage to which it would have been liable as an unpaid letter. But if any such packet as is hereinbefore in the 11th and 13th

clauses of this Warrant respectively authorized to be transmitted by the post, shall be posted with a postage paid thereon which shall be less in amount than the rate of postage to which such packet would be liable under or by virtue of this Warrant, every such last-mentioned packet shall be forwarded, charged with double the amount of the deficient postage.

18. All packets consisting of printed newspapers or other printed papers, or consisting of patterns or samples of merchandize of no intrinsic value, posted in *Austria* or the city of *Belgrade*, addressed to the United Kingdom, and transmitted by the post from any place in *Austria* or from the city of *Belgrade* to any part of the United Kingdom *viâ France*, shall and may be so transmitted, free from British postage, subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained, relating thereto.

19. All packets consisting of printed newspapers or other printed papers, or consisting of patterns or samples of merchandize of no intrinsic value, not exceeding two ounces in weight, posted in *Austria* or the city of *Belgrade*, addressed to any of Her Majesty's *Colonies*, or posted in any of Her Majesty's *Colonies*, addressed to *Austria* or the city of *Belgrade*, and transmitted by the post between any place in *Austria* or the city of *Belgrade* and any of Her Majesty's *Colonies viâ France* and through the United Kingdom; and all packets consisting of printed newspapers or other printed papers, or consisting of patterns or samples of merchandize of no intrinsic value, not exceeding two ounces in weight, posted in any *Foreign* country, addressed to any of Her Majesty's *Colonies*, or posted in any of Her Majesty's *Colonies*, addressed to any *Foreign* country and transmitted by the post between any *Foreign* country and any of Her Majesty's *Colonies viâ Austria* and *France*, and through the United Kingdom, may be so transmitted respectively, in conformity with, and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto; and there shall be charged, taken, and paid for the transmission of every such packet an uniform rate of postage (British and *Foreign* combined) of 2*d.*

20. All packets transmitted by the post under the 19th clause of this Warrant shall, if exceeding the weight of two ounces respectively, be subject to the several further and additional and progressive rates of postage hereinafter mentioned, that is to say:

On every such packet so transmitted, if exceeding two ounces in weight, and not exceeding 4 ounces in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such packet, if exceeding 4 ounces and not exceeding one half of a pound in weight, 4 rates of postage;

And on every such packet, if exceeding one half of a pound and not exceeding one pound in weight, 8 rates of postage ;

And for every additional half of a pound in weight of any such packet above the weight of one pound, there shall be charged, taken, and paid 4 additional rates of postage, and in charging any additional rates of postage every fractional part of such additional half of a pound in weight shall be charged as an additional half of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding two ounces in weight.

21. For the purposes of this Warrant, every printed British newspaper transmitted by the post under the 11th and 12th clauses of this Warrant, shall be deemed and considered a packet, and shall be charged and chargeable with a separate and distinct single rate or separate and distinct progressive and additional rates of postage according to the weight thereof, as hereinbefore respectively mentioned ; notwithstanding two or more newspapers shall be inclosed and transmitted in one and the same cover, wrapper, envelope, or bundle, and form only one parcel or bundle of newspapers ; and every printed supplement or additional sheet to any such newspaper shall, for the purpose of charging the postage under this Warrant, be deemed a distinct newspaper, unless sent in the same cover or together with the newspaper to which it is a supplement or addition.

22. Every packet consisting of a printed British newspaper, or of printed papers other than British newspapers, or of printed newspapers or other printed papers, or of printed papers other than newspapers, which shall be respectively transmitted by the post under the provisions of this Warrant, shall be so transmitted in conformity with, and under and subject to the several orders, directions, regulations, and conditions following, that is to say :

Every British newspaper shall be printed and published at intervals not exceeding 31 days between any two consecutive numbers or parts of such publication, and the same shall be registered at the General Post Office in London, and shall be posted within 15 days from the date of its publication, and the title and date of the newspaper shall be printed at the top of every page thereof :

Every packet shall be sent open at the ends or sides, and either without a cover or in a cover or envelope open at the ends or sides, and there shall be no written letter either closed or open, nor any written communication in the nature of a letter, either closed or open (whether such letter or communication be addressed to or intended for the person to whom the packet shall be directed or any other person), nor any inclosure

sealed or otherwise closed against inspection, nor any other inclosure not authorized by this Warrant, sent in or with any such packet, nor shall there be any word or communication printed on the contents of any such packet after the publication thereof, nor any writing, figures, or marks upon any such contents or the cover thereof not authorized by this Warrant, except the name and address of the person to whom the same is sent, but the name or title of any newspaper, and the name and address of the publisher, newsvendor, or agent to whom the same is sent, may be printed on the cover thereof, and any packet of printed papers, other than a printed newspaper, may have any matter or thing printed on the cover thereof;

No packet shall be transmitted by the post under the provisions of this Warrant which shall exceed the weight of three pounds, or which shall exceed two feet in length or one foot in depth or width;

Every packet transmitted by the post under the provisions of this Warrant, shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

23. Every packet consisting of patterns or samples of merchandize which shall be transmitted by the post under the provisions of this Warrant, shall be so transmitted in conformity with, and under and subject to, the several orders, directions, regulations, and conditions following, that is to say:

No such packet shall be so transmitted by the post under the authority of this Warrant which shall exceed the weight of 8 ounces, or which in length shall exceed two feet, or in width or depth one foot;

There shall be no enclosure sealed or otherwise closed against inspection and examination, nor any other enclosure not authorized by this Warrant sent in or with any such packet;

No such pattern or sample of merchandize shall be of any intrinsic value, and no article so transmitted shall be of a saleable nature or such as has any mercantile value, either by reason of its quality or its quantity, or of which any use might be made otherwise than as a pattern or sample of merchandize;

There shall be no writing or printing upon any such packet, or the cover thereof, or contained therein, except the address of the person for whom it is intended, the address of the sender thereof, and a manufacturer's or trade mark, and number and price of the pattern or sample; and every such manufacturer's or trade mark, number, and price shall be written or printed on labels attached to such patterns or samples, or to the bags or boxes containing the same, and not on loose pieces of paper or other material;

All such packets shall be sent in covers open at the ends, so



as to be easy of examination, nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in boxes or in bags of linen, paper, or other material which shall be tied with a string or otherwise fastened in such a manner that they may be readily opened, and closed bags, if transparent, may be used for this purpose ;

No article which might injure the contents of the mail bags, or the persons of the officers of the Post Office, shall be transmitted by the post under the authority of this Warrant.

24. If any packet transmitted by the post under the provisions of this Warrant (except packets transmitted under the authority of the 15th clause thereof) be sent by the post otherwise than in conformity with the conditions and regulations applicable thereto, established by or under the 22nd and 23rd clauses of this Warrant, the same shall and may be detained and opened at any place in the United Kingdom, and at the option of the Postmaster-General, shall be either returned or be given up to the sender thereof, or be given up to the person to whom the same shall be addressed or be forwarded to the place of its destination, and any such packet on being so returned, given up, or forwarded, shall be chargeable with any rates of postage the Postmaster-General may think fit, not exceeding the rates that would be chargeable on such packet as an unpaid letter.

25. In order to prevent any obstacle to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be despatched in due course of the post, or at his option, until the despatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

26. In all cases in which any question shall hereinafter arise whether any packet, or anything contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive on all parties.

27. The term "*East Indies*" used in this Warrant shall be construed to mean every port or place in Her Majesty's dominions in *Asia* (except *Australia* and *New Zealand*), and the term "printed papers" when used in this Warrant shall mean, comprise, and include any number of separate books or other publications, prints or maps whether printed, engraved, or lithographed, and whether on paper, parchment, or vellum, and also photographs on paper, parchment, or vellum, and all legiti-

mate binding, mounting, or covering of a book, publication, print, or map, or of a portion thereof, whether such binding, mounting, or covering be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise), in the case of books, and whatsoever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto; and also, when contained in any packet consisting of unbound proof sheets only, any ordinary corrections in writing of such unbound proof sheets; but shall not mean, comprise, or include any photographs, drawings, prints, or other articles which may be obviously of an obscene character; and the several other terms and expressions used in this Warrant, shall be construed to have the like meaning in all respects as they would have had if inserted in the said recited Act passed in the 4th year of the reign of Her Majesty, cap. 96.

28. The rates of postage fixed by this present Warrant on the letters and packets transmitted as herein respectively mentioned, shall be in lieu of any rates now chargeable by law thereon.

29. The Commissioners for the time being of Her Majesty's Treasury, may by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, or conditions in lieu thereof, and may from time to time appoint at what time the rates which may be payable are to be paid.

30. This Warrant shall come into operation on the 1st day of January, 1866.

Whitehall, Treasury Chambers, the 22nd day of December, 1865.

E. H. KNATCHBULL-HUGESSEN.  
LUKE WHITE.

*TREATY of Commerce between Her Majesty and the Emperor of Austria; with a Final Protocol.—Signed at Vienna, December 16, 1865.\**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part; and His Majesty the Emperor of Austria, King of Hungary and Bohemia, &c., on the other part; being equally

IHRE Majestät die Königin des Vereinigten Königreiches von Grossbritannien und Irland, u.s.w., auf der einen Seite, und Seine Majestät der Kaiser von Oesterreich, König von Ungarn und Böhmen, u.s.w., auf der

\* Ratifications exchanged at Vienna, January 4, 1866.

animated by the desire of regulating and extending the commercial relations between their respective States and Possessions, have resolved to conclude a Treaty for that purpose, and have named for their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, &c., the Right Honourable John Arthur Douglas, Baron Bloomfield of Oakhampton and Redwood, a Peer of Ireland, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Imperial and Royal Apostolic Majesty;

And His Majesty the Emperor of Austria, King of Hungary and Bohemia, &c., Alexander Count Mensdorff-Pouilly, Grand Cross of the Order of Leopold, with the military decoration belonging to the Commander's Cross of the same Order, Knight of the Order of Maria Theresa, and Possessor of the Cross of Military Merit, Knight Commander of the Most Honourable Order of the Bath, Lieutenant-General in His Imperial Majesty's Army, Privy Councillor and Chamberlain, Minister of the Imperial House and of Foreign Affairs; and Bernhard, Baron Wüllerstorff-Urbair, Knight of the Order of the Iron Crown of the Second Class, Rear-Admiral in

anderen Seite, von dem gleichen Wunsche beseelt, die Handelsbeziehungen zwischen Ihren beiderseitigen Staaten und Besitzungen zu regeln und auszudehnen, haben beschlossen einen Vertrag zu diesem Zwecke einzugehen und zu Ihren Bevollmächtigten ernannt, nämlich:

Ihre Majestät die Königin des Vereinigten Königreiches von Grossbritannien und Irland, den sehr ehrenwerthen Johann Arthur Douglas, Baron Bloomfield von Oakhampton and Redwood, Pair von Irland, Mitglied Ihrer Britischen Majestät höchst ehrenwerthen geheimen Rathes, Grosskreuz des höchst ehrenwerthen Bath Ordens, allerhöchst Ihren ausserordentlichen und bevollmächtigten Botschafter bei Seiner Kaiserlich Königlich Apostolischen Majestät;

Und Seine Majestät der Kaiser von Oesterreich, König von Ungarn und Böhmen, den Herrn Alexander Grafen von Mensdorff-Pouilly, Grosskreuz allerhöchst Ihres Leopoldordens mit der Kriegsdecoration zum Commandeur Kreuze, Ritter des Maria Theresien Ordens und Besitzer des Militär Verdienst Kreuzes, Komthur des höchstehrenwerthen Grossbritanischen Bath Ordens, allerhöchst Ihren Feldmarschall Lieutenant, Geheimer Rath und Kämmerer, Minister des Kaiserlichen Hauses und der auswärtigen Angelegenheiten; und den Herrn Bernhard Freiherrn von Wüllerstorff-Urbair, Ritter allerhöchst Ihres Ordens der Eisernen Krone zweiter

His Imperial Majesty's Navy, Privy Councillor, and Minister for Commerce;

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles:

ART. I. During the continuance of the present Treaty, the subjects and commerce of Austria shall enjoy within all the dominions and possessions of Her Britannic Majesty, including Her Majesty's colonies and foreign possessions, the same advantages which have been conceded to French subjects and commerce by the Treaty between Her Majesty and the Emperor of the French, signed at Paris on the 23rd of January, 1860,\* and to the subjects and commerce of the States of the Zollverein by the Treaty between Her Majesty and His Majesty the King of Prussia, representing the sovereign States and territories united to the Prussian system of customs and contributions, signed at Berlin on the 30th of May, 1865;† and further, Austrian subjects and commerce shall be placed in all other respects on the footing of the subjects and commerce of the most favoured nation.

II. From and after the 1st January, 1867, British subjects and commerce shall, within the dominions of His Imperial and Royal Majesty, be placed in

\* See Vol. 11. Page 165.

Classe, allerhöchst Ihren Contre-Admiral, Geheimen Rath und Minister für Handel und Volkswirtschaft:

Welche, nach gegenseitigen Mittheilung ihrer in guten und gehöriger Form befundenen Vollmachten, die nachstehenden Artikel vereinbart und abgeschlossen haben:

ART. I. Während der Dauer des gegenwärtigen Vertrages werden die Unterthanen und der Handel Oesterreichs innerhalb aller Gebiete und Besitzungen einschliesslich den Colonien und auswärtigen Besitzungen Ihrer Britischen Majestät dieselben Vortheile geniessen, welche den Unterthanen und dem Handel Frankreichs durch den zu Paris am 23 Januar, 1860, unterzeichneten Vertrag zwischen Ihrer Majestät und dem Kaiser der Franzosen, und den Unterthanen und dem Handel der Zollvereinstaaten durch den in Berlin am 30 Mai, 1865, zwischen Ihrer Majestät und dem Könige von Preussen als Vertreter der dem Preussischen Zoll- und Steuer-systeme beigetretenen Souverainen Staaten und Gebiete zugestanden worden sind, und es werden ferner die Unterthanen und der Handel Oesterreichs in allen übrigen Beziehungen auf gleichen Fuss mit den Unterthanen und dem Handel der meist begünstigten Nationen gesetzt.

II. Von und nach dem 1 Januar, 1867, sollen Britische Unterthanen und Handel in den Staaten Seiner Kaiserlichen Königlichen Majestät in allen

† See Prussia.



every respect upon the footing of the most favoured nation, and share in all the advantages and favours which are enjoyed by the commerce and subjects of any third Power.

From this rule are excepted:

*a.* Advantages such as those which, for the sole purpose of facilitating frontier traffic, are at present conceded, or may hereafter be conceded, to the States of the German Zollverein, or to other neighbouring States; and also those reductions of, or exemptions from Customs duties which are valid only at certain parts of the frontier, or for the inhabitants of particular localities.

*b.* Those advantages which belong, or may hereafter be conceded, to the subjects of the German Confederation, in virtue of Federal Treaties and Federal laws.

*c.* Those special and ancient privileges which are enjoyed by Turkish subjects, as such, for Turkish commerce in Austria.

III.\* The Austrian Customs Tariff (the present system of calculating Customs duties by weight being maintained) shall be so regulated that the duty to be levied upon articles the produce or manufacture of the dominions of Her Britannic Majesty, upon their importation into the Austrian States, shall, from the 1st of January, 1867, not exceed 25 per cent. of the value, with the addition of the cost of transport, insur-

Beziehungen auf den Fuss der meist begünstigten Nation gesetzt werden und sollen denselben alle Vortheile und Begünstigungen zu Theil werden, welche dem Handel und den Unterthanen irgend einer dritten Macht zukommen.

Ausgenommen hievon sind:

*a.* Solche Begünstigungen, welche lediglich zur Erleichterung des Grenzverkehrs den Staaten des deutschen Zollvereins oder anderen Nachbarstaaten gegenwärtig zugestanden sind oder künftig zugestanden werden könnten, sowie jene Zollermässigungen oder Zollbefreiungen, welche nur für gewisse Grenzen oder für die Bewohner einzelner Besitztheile Geltung haben.

*b.* Jene Begünstigungen, welche den Unterthanen der deutschen Bundesstaaten kraft der Bundesverträge und Bundesgesetze zustehen oder künftig eingeräumt werden sollten.

*c.* Jene besonderen althergebrachten Begünstigungen, welche den Türkischen Unterthanen als solche für den türkischen Handel in Oesterreich zukommen.

III.\* Der oesterreichische Zolllarif soll unter aufrechthaltung seines gegenwärtigen Gewichts-Zoll Systemes mit der Massgabe geregelt werden, dass der von Artikeln der Urproduktion oder der Industrie der Staaten Ihrer Britischen Majestät bei deren Einfuhr in die oesterreichischen Staaten zu erhebende Zoll vom 1 Januar, 1867, angefangen 25 procent des Werthes mit Zuschlag der Transports, Versiche-

\* Suppressed by Art. III of Convention of 30th December, 1869.

ance, and commission necessary for the importation into Austria as far as the Austrian Customs frontier; and for this purpose there shall serve as basis the average value of the articles included under one and the same denomination in each position of the future Austrian Tariff.

From and after the 1st of January, 1870, the maximum of these duties shall not exceed 20 per cent. of the value, with the additions above defined.

The articles of State monopolies (tobacco, salt, gunpowder), and further, the goods comprised in classes 1 and 7 of the present Austrian tariff, are excepted from these maxima.

IV.\* Commissioners from both Governments shall meet not later than the month of March, 1866, for the purpose of ascertaining and determining the values and additional charges, and they shall take as the basis of their calculations the average prices at the principal centres of production and commerce of the United Kingdom for the year 1865.

Three years after the duties fixed by Treaty shall have come into operation each of the Contracting Parties shall have the right to claim a revision of the values.

V.\* Those duties of the future Austrian tariff to come into operation on the 1st of

rungs, und Commissions Spesen, welche die Einfuhr nach Oesterreich bis zur oesterreichischen Zollgrenze erfordert, nicht übersteige, und es soll dabei der durchschnittliche Werth der in jeder position des künftigen oesterreichischen Tarifes unter einer und derselben Benennung vorkommenden Artikel zur Grundlage genommen werden.

Von und nach dem 1 Januar, 1870, soll das maximum dieser zölle 20 procent des werthes sammt zuschlag nicht übersteigen.

Ausgenommen von diesen Maximalsätzen sind die Gegenstände der Staats-monopolien (tabak, kochsalz, schiesspulver), ferner die in den Klassen 1 und 7 des gegenwärtigen Oesterreichischen Tarifes enthaltenen Waaren.

IV.\* Zur Ermittlung und Feststellung der Werthe und des Zuschlages sollen längstens im Monate März, 1866, Commissarien der beiderseitigen Regierungen zusammentreten und es sollen dabei die Durchschnittspreise der Hauptstapelplätze des vereinigten Königreiches des Jahres, 1865, zur Basis dienen.

Jeder der kontrahirenden Theile soll das Recht haben, drei Jahre nachdem die vertragsmässig festgesetzten Zölle in Kraft getreten sein werden, eine Revision der Werthe zu verlangen.

V.\* Diejenigen Zollsätze des Künftigen, am 1 Januar, 1867, in Wirksamkeit tretenden oes-

\* Suppressed by Art. III of Convention of 30th December, 1869.

January, 1867, to which England attaches a special interest, shall form the subject of a supplementary Convention to be concluded between the two Contracting Parties.

The articles of State monopoly, as also the goods subject to fiscal duties included in classes 1 and 7 of the present tariff, remain also here excepted.

VI. Internal imposts which are levied in the territory of one party on the production, preparation, or use of any article, whether on account of the State or on account of municipalities and corporations, shall under no pretext affect the productions of the other party in a higher or more onerous degree than the same productions of native origin.

VII. The Contracting Parties agree that every reduction in their tariffs of import or export duties, and every privilege, favour, or immunity which either Contracting Party may hereafter grant to the subjects and commerce of a third Power, shall be extended immediately and unconditionally to the other Contracting Party, with a reserve, however, of the exceptions enumerated in Article II, *a* and *b*.

VIII. The subjects of one of the Contracting Parties shall enjoy in the dominions and possessions of the other, equality of treatment with native subjects in regard to charges

terreichischen Zolltarifes, an welchen England ein besonderes Interesse hat, sollen den Gegenstand einer zwischen den beiden kontrahirenden Theilen abzuschliessenden Nachtrags-Convention bilden.

Die Gegenstände der Staatsmonopole, so wie die mit Finanzzöllen belegten Waaren der Classe 1 und 7 des gegenwärtigen Zolltarifes bleiben auch hier ausgenommen.

VI. Innere Abgaben, welche in dem einen der kontrahirenden Theile, sei es für Rechnung des Staates oder für Rechnung von Communen und Corporationen auf der Hervorbringung, der Zubereitung oder dem Verbräuche eines Erzeugnisses lasten, dürfen Erzeugnisse des anderen Theiles unter keinem Vorwande höher oder in lästiger Weise treffen als die gleichnamigen Erzeugnisse des eigenen Landes.

VII. Die kontrahirenden Mächte kommen überein, dass jede Ermässigung ihres Ein- oder Aushfuhr Zolltarifes sowie jedes Privilegium, jede Begünstigung oder Befreiung, welche einer der vertragschliessenden Theile den Unterthanen und dem Handel einer dritten Macht zugestehen würde gleichzeitig und unbedingt dem anderen Theile zukommen soll, vorbehaltlich der im Artikel II unter *a* und *b* bezeichneten Ausnahmen.

VIII. Die Unterthanen des einen der vertragsschliessenden Theile, sollen in den Staaten und Besitzungen des anderen gleichmässige Behandlung mit den eingebornen Un-

on loading and unloading, to warehousing, and to the transit trade, as also in regard to bounties, facilities, and drawbacks.

IX. The subjects of one of the two High Contracting Powers shall, in the dominions of the other, enjoy the same protection as native subjects in regard to the rights of property in trade marks, and other distinctive marks, as well as in patterns and designs for manufactures.

X. The High Contracting Parties reserve to themselves to determine hereafter, by a special Convention, the means of reciprocally protecting copyright in works of literature and the fine arts within their respective dominions.

XI. The present Treaty shall remain in force for the space of 10 years, to date from the 1st of January, 1867; and in case neither of the High Contracting Powers shall have notified to the other 12 months before the expiration of the said period of 10 years, the intention to put an end to its operation, the Treaty shall continue in force for another year, and so on from year to year, until the expiration of a year counting from the day on which one or other of the High Contracting Parties shall have announced its intention to put an end to it.

terthanen in Beziehung auf Ein- und Ausladungs-gebühren, Einlagerung, Transithandel, und ebenso in Beziehung auf Ausfuhrs-Prämien, Erleichterungen und Rückzölle geniessen.

IX. Die Unterthanen der einen der beiden vertrags-schliessenden Mächte, sollen in den Gebieten der anderen hinsichtlich des Eigenthums-rechtes an gewerblichen Marken und anderen Bezeichnungen so wie an Mustern und Modellen für Industrie-Erzeugnisse den gleichen Schutz geniessen wie die eigenen Unterthanen.

X. Die kontrahirenden Mächte behalten sich vor, nachträglich durch eine besondere Uebereinkunft die Mittel zu bestimmen, um den Autors-rechten an Werken der Literatur und der schönen Künste innerhalb ihrer Gebiete den gegenseitigen Schutz angedeihen zu lassen.

XI. Der gegenwärtige Vertrag soll für den Zeitraum von zehn Jahren, vom 1 Januar, 1867, an, in Kraft bleiben, und falls keine der hohen kontrahirenden Mächte zwölf Monate vor Ablauf des besagten Zeitraumes von zehn Jahren der anderen Absicht kundgegeben haben wird, die Wirksamkeit des Vertrages aufhören zu lassen, soll derselbe für ein weiteres Jahr in Kraft bleiben und sofort vom Jahr zu Jahr bis zum Ablaufe eines Jahres von dem Tage an gerechnet, an welchem die eine oder andere der hohen kontrahirenden Mächte ihre Absicht



The High Contracting Parties reserve to themselves the right to introduce, by common consent, into this Treaty, any modification which is not opposed to its spirit and principles, and the utility of which shall have been shown by experience.

XII. The present Treaty shall be ratified, and the ratification shall be exchanged in Vienna, in 3 weeks, or sooner, if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Vienna, this 16th day of December, 1865.

(L.S.) BLOOMFIELD.

angekündigt haben wird, denselben aufhören zu lassen.

Die hohen vertragsschließenden Theile behalten sich das Recht vor durch gemeinschaftliches Uebereinkommen, an diesem Vertrage jede Modification vorzunehmen, welche mit dem Geiste und den Grundsätzen desselben nicht im Widerspruche stehen, und deren Nützlichkeit die Erfahrung dargethan haben wird.

XII. Der gegenwärtige Vertrag soll ratifizirt werden und es sollen die Ratifikations-Urkunden binnen drei Wochen oder wenn möglich früher, in Wien, ausgewechselt werden.

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten denselben unterzeichnet und ihre Siegel beigedrückt.

So geschehen zu Wien, den sechszehnten December im Jahre des Herrn Eintausend achthundert und fünf und sechzig.

(L.S.) ALEXANDER GRAF  
MENDSORFF-POUILLY,  
F.M.L.

(L.S.) BERNHARD BARON  
WULLERSTORF,  
C. Admiral.

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### FINAL PROTOCOL. *Application of Treaty to Liechtenstein, &c.*

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UPON proceeding to the signature of the Treaty of Commerce concluded this day between Great Britain and Austria, the Plenipotentiaries of the two Powers made the following declarations:—

I. The Plenipotentiaries of

BEI der Unterzeichnung des am heutigen Tage zwischen Grossbritannien und Oesterreich abgeschlossenen Handelsvertrages haben die beiderseitigen Bevollmächtigten die nachfolgenden Erklärungen niedergelegt:—

I. Die Bevollmächtigten

His Majesty the Emperor of Austria declared that in virtue of Article XIII of the Treaty of Customs and Contributions Union of the 23rd December, 1863, between Austria and Liechtenstein, the Treaty of Commerce concluded this day would apply equally to the Principality of Liechtenstein, and the British Plenipotentiary accepted this declaration.

II.\* In order to avoid any future doubt as to the intention of Article III, the Plenipotentiaries of the two Powers agreed to the following explanation:

In the construction of a Tariff of specific duties by weight within fixed *ad valorem* rates, it is necessary to determine what shall be the unit of value to which each specific duty shall be applied.

In adopting the basis of value established by Article III, it is understood that it is not intended to depart from the general principle of the Article, viz., the application of certain maximum *ad valorem* rates of duty to all articles of British produce and manufacture, but to guard against the necessity of making separate provision for every variety of each article, thereby creating minute and inconvenient subdivisions in the Tariff.

Seiner Majestät des Kaisers von Oesterreich erklärten dass der heute abgeschlossene Handelsvertrag auch für das Fürstenthum Liechtenstein Geltung habe in Uebereinstimmung mit Artikel XIII des am 23ten December, 1863, erneuerten Zoll- und Steuer-Vereins Vertrages zwischen Oesterreich und Liechtenstein; und der Grossbritannische Bevollmächtigte hat diese Erklärung angenommen.

II.\* Um jedem künftigen Zweifel über die Absicht des Artikels III vorzubeugen haben sich die beiderseitigen Bevollmächtigten über nachstehende Erläuterung geeignet:

Bei der Aufstellung eines Tarifes von specifischen Gewichtszöllen innerhalb bestimmter Werthsätze ist es nothwendig die Wertheinheit zu bestimmen auf welche jeder specifische Zoll angewendet werden soll.

Man ist darüber einverstanden dass es bei Annahme der im Artikel III festgesetzten Werthsgrundlage nicht beabsichtigt wird von dem allgemeinen Grundsatz des Artikels, nämlich, davon abzuweichen dass alle Artikel der Britischen Produktion oder Industrie nur mit Zöllen belegt werden sollen, welche gewissen Maximalsätzen ihres Werthes entsprechen, sondern es soll die Nothwendigkeit vermieden werden, für alle Verschiedenheiten jedes Artikels besonders vorzusehen und dadurch kleinliche und unzukömmliche Unter-Abtheilungen des Tarifes hervorzurufen.

\* Suppressed by Art. III of Convention of 30th Dec., 1869.

With this view it becomes necessary to group together those different qualities and descriptions of the same article or of similar articles which, from their approximation in value and general resemblance in character, it is found possible to include under one and the same denomination in one position of the Tariff.

But it is understood that in fixing the denominations in each position of the future Austrian Tariff, they shall be so arranged that the duty affixed to any one position shall not exceed the "maximum" rates fixed by Article III of the Treaty upon the average value of any kind of goods of commercial importance included under any one denomination in such position, unless by common consent it is considered expedient or necessary.

III. With reference to Article IV, the Plenipotentiaries likewise agreed that if it shall be found that the prices of any kinds of goods have been essentially disturbed by exceptional causes during the twelve months of the year 1865, the Commissioners of the two Governments shall endeavour to find such a basis of value as shall be considered to correspond to a fair average value for future years.

Im Hinblick darauf wird es nothwendig solche verschiedenen Qualitäten und Bezeichnungen desselben Artikels oder ähnlicher Artikel zusammenzufassen von denen es möglich befunden wird sie vermöge ihres annähernd gleichen Werthes und ihrer allgemeinen Gleichartigkeit unter eine und dieselbe Benennung in eine Position des Tarifes einzubeziehen.

Man ist aber darüber einverstanden dass bei der Feststellung der Benennungen des künftigen oesterreichischen Tarifes diese so eingerichtet sein sollen, dass der in jeder Position ausgesetzte Zoll den im Artikel III des Vertrages festgesetzten Maximalsatz nach dem durchschnittlichen Werthe jeder für den Handel wichtigen Gattung von Waaren, welche unter einer Benennung in diese Position einbezogen sind, nicht übersteigen soll, ausser es wäre dies durch gemeinschaftliche Uebereinstimmung für zweckmässig oder nützlich erkannt worden.

III. Zu Artikel IV ist man ebenso übereingekommen das wenn erkannt werden sollte dass die Preise irgend einer Waarengattung durch ausserordentliche Ursachen während der zwölf Monate des Jahres 1865, wesentlich gestört worden sind, die Commissäre der beiden Regierungen trachten sollen eine derartige Werthgrundlage für solche Waarengattungen zu finden wie sie einem billigen Durchschnittswerthe für folgende Jahre als

In the case of textile manufactures (the prices of which have been seriously deranged during the late war in the United States of America) it is agreed that if the average prices of the year 1865 be taken as a basis of value, either Contracting Party may claim a revision of such valuation after the 1st of January, 1868.

IV. The British Plenipotentiary then declared that:

Her Britannic Majesty engages to recommend to Parliament the abolition of the duties payable on the importation of wood and timber into the United Kingdom, and also the reduction of the duties payable on wine in bottle to the amount of those payable on wine in wood upon importation into the United Kingdom.

V. The Imperial Austrian Plenipotentiaries on their part declared that:

The duty upon the export of rags from the States and Possessions of His Imperial and Royal Majesty shall, from and after the 1st of July, 1866, be reduced to two florins the zoll-centner; and that

The duty upon the importation of salted herrings into the States and Possessions of His Imperial and Royal Majesty shall, from the 1st of February, 1866, be reduced to 50 kreut-

entsprechend angesehen werden kann.

Hinsichtlich der Webe und Wirkwaaren (deren Preise während des letzten Krieges in den vereinigten Staaten von Nordamerika wesentlich geändert worden sind) ist man übereingekommen dass wenn die Mittelpreise des Jahres 1865, als Werthsgrundlage angenommen werden jeder der kontrahirenden Theile nach dem 1 Januar, 1868, eine Revision der Bewerthung derselben verlangen kann.

IV. Der königliche grossbritannische Bevollmächtigte erklärte ausserdem:

Ihre Britische Majestät verpflichtet sich dem Parlamente die Abschaffung der für die Einfuhr von Werk und Bauholz in das vereinigte Königreich zu zahlenden Zölle, und ebenso die Ermässigung der für Wein in Flaschen zu zahlenden Zölle auf den Betrag der auf Wein in gebünden bei der Einfuhr in das vereinigte Königreich zu entrichtenden Zölle zu empfehlen.

V. Die kaiserlichen oesterreichischen Bevollmächtigten erklärten ihrerseits:

Der Zoll auf die Ausfuhr von Hadern aus den Staaten und Besitzungen Seiner Kaiserlichen Königlichen Majestät soll von und nach den 1 Juli, 1866, auf 2 Gulden per Centner herabgesetzt werden.

Der Zoll auf die Einfuhr von gesalzenen Häringen in die Staaten und Besitzungen Seiner Kaiserlichen Königlichen Majestät wird vom 1ten Februar, 1866, angefangen auf



zers per zollcentner, gross weight.

In witness whereof the Undersigned Plenipotentiaries have drawn up the present Protocol in duplicate form, to which, after it had been duly read, they affixed their signatures.

Vienna, this 16th day of December, 1865.

(L.S.) BLOOMFIELD.

50 Kreuzer per Centner sporco herabgemindert.

Zu Urkund dessen haben die Unterzeichneten Bevollmächtigten das gegenwärtige Protokoll in doppelten Ausfertigung aufgenommen und dasselbe nach erfolgter Vorlesung vollzogen.

Wien, den 16ten December, 1865.

(L.S.) ALEXANDER GRAF  
MENSENDORFF-POUILLY,  
F.M.L.

(L.S.) BERNHARD BARON  
WULLERSTORF,  
C. Admiral.

## BAVARIA.

BRITISH TREASURY WARRANT *fixing the Rates of Postage on Packets of Patterns and Samples of Merchandize, of no intrinsic value, transmitted to Bavaria viâ France. May 18, 1866.*

WHEREAS by an Act of Parliament, passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, parliamentary proceedings, and printed papers transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post, and by the same Act powers were given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act of Parliament passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient that certain regulations should be made for the transmission by the post from the United

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

Kingdom to the Kingdom of *Bavaria*, *viâ France*, of certain packets, in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the power reserved to us in and by the said hereinbefore recited Acts of Parliament, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows; that is to say:—

1. All packets consisting of patterns or samples of merchandise of no intrinsic value posted in any part of the United Kingdom, addressed to the Kingdom of *Bavaria*, may be transmitted by the post from the United Kingdom to the Kingdom of *Bavaria*, *viâ France*, subject to the several rates of postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid an uniform single rate of postage (*British* and *Foreign* combined), of 4*d.*;

And on every such packet, if exceeding 4 ounces, and not exceeding one half of a pound in weight, there shall be charged, taken, and paid two rates of postage;

And on every such packet, if exceeding one half of a pound and not exceeding one pound in weight, there shall be charged, taken, and paid 4 rates of postage;

And on every such packet, if exceeding one pound and not exceeding one pound and the half of another pound in weight, there shall be charged, taken, and paid 6 rates of postage;

And on every such packet, if exceeding one pound and the half of another pound and not exceeding two pounds in weight, there shall be charged, taken, and paid 8 rates of postage;

And for every additional half of a pound in weight of any such packet above the weight of two pounds, there shall be charged, taken, and paid two additional rates of postage, and every fractional part of such additional half of a pound in weight shall be charged as an additional half of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 4 ounces in weight.

2. Every packet which shall be transmitted by the post under the authority of this Warrant shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter contained, that is to say:—

3. No such packet which in length shall exceed two feet (*British*), or in breadth or depth one foot, shall be transmitted by the post under the provisions of this Warrant.

4. No pattern or sample, being of any intrinsic value, or

being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

5. There shall be no enclosure, sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in or with any such packet.

6. There shall be no writing in or upon any such packet, or on the cover thereof, except the name and address of the person for whom it is intended, the name and address of the sender thereof, a trade mark and number, and price of the pattern or sample contained therein, which trade mark, and number, and price shall be written or printed on labels attached to the pattern or sample.

7. All such packets shall be sent in covers open at the ends so as to be easy of examination; nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in bags of linen, paper, or other material; but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

8. Every packet transmitted by the post under this Warrant shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

9. The postage of all such packets, as aforesaid, shall in every case be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

10. If any packet sent, or tendered, or delivered, in order to be sent by the post under the provisions of this Warrant, shall be sent otherwise than in conformity with the conditions and regulations established by or under the authority of this Warrant, the same shall and may be detained or opened, and, at the option of the Postmaster-General, shall be either returned or given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such packet, on being so returned, given up, or forwarded, shall, at the option of the Postmaster-General, either be free of postage or be charged with any rate of postage he may think fit, not exceeding the rate that would be chargeable on such packet as an unpaid letter.

11. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded

by the post, under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be dispatched, in due course of the post, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

12. In all cases in which any question shall hereafter arise whether any packet or any pattern or sample contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive on all parties.

13. The term "weight" used in this Warrant shall mean *British* weight; and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty, chapter 96.

14. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

15. This Warrant shall come into operation on the day of the date hereof.

Whitehall, Treasury Chambers, the 18th day of May, 1866.

LUKE WHITE. W. P. ADAM.

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## BELGIUM.

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CONVENTION *between the General Post Office of the United Kingdom of Great Britain and Ireland, and the General Post Office of Belgium. Signed, in the English and French languages, at Brussels the 14th, and at London the 28th August, 1857.*

THE Director-General of the Railways, Posts, and Telegraphs of Belgium, furnished with full powers from the Minister of Public Works of Belgium, having the Administration of the Posts under his Department, on the one part; and the Secretary of the General Post Office of the United Kingdom of Great Britain and Ireland, furnished with full powers from his Grace the Postmaster-General of the United Kingdom of Great Britain and Ireland, on the other part.

With reference to Article I of the Additional Convention



concluded between the Kingdom of Belgium and the United Kingdom of Great Britain and Ireland on the 8th January, 1857,\* authorizing the Post Offices of the two countries to agree upon and to carry into effect by mutual consent any alterations in the rates of postage to be collected under the terms of the Convention of the 19th of October, 1844,† upon letters, newspapers, and printed papers of every kind exchanged between Belgium and the United Kingdom, as well as any alterations in any other of the postal arrangements established between the two countries, whenever by mutual consent the two Governments shall have decided that such alterations would be beneficial to the Post Office service of their respective countries; have agreed as follows.

#### CHAPTER 1.—*General Regulations.*

ART. I. There shall be a periodical and regular exchange of correspondence between Belgium and Great Britain, as well for letters, patterns of goods, newspapers, and printed papers of every kind, originating in the two States, as for articles of the same nature originating in or destined for the countries the correspondence of which is forwarded through Belgium or through the United Kingdom.

II. The exchange of correspondence between the two offices shall be effected through the following Post Offices, viz:

On the side of Belgium:

1. Ostend; local office, travelling office.
2. Antwerp.
3. Travelling office established on the line of railway between Ghent and Mouscron.
4. Travelling office established on the line of railway between Brussels and Quiévrain.

On the side of Great Britain:

1. Dover.
2. London.
3. Hull.

III. Independently of the offices of exchange which are named in the preceding Article, others may be established at any other places on the coast or in the interior of each of the two countries between which direct communications may hereafter be deemed necessary.

#### CHAPTER II.—*Postage of International Letters.*

IV. Persons desirous of sending ordinary letters, either from Belgium to the United Kingdom of Great Britain and Ireland and those British Colonies and Possessions at which the Post Office of Great Britain maintains Post Offices, or from the United Kingdom of Great Britain and Ireland and the British

\* See Vol. X. Page 713.

† See Vol. VII. Page 86.

Colonies and Possessions to Belgium, shall have the option, viz

1. Of leaving the whole postage of such letters to be paid by the receiver.

2. Of paying the said postage to the place of destination.

Payment for a part of the distance shall not be permitted.

V. The inhabitants of both countries may send registered letters from one country to the other, and as far as it shall be found practicable, to the countries the correspondence of which shall be transmitted through the respective offices.

The postage of the letters mentioned in the present Article shall be fixed according to the combined rates of the two countries; it must in all cases be paid to the place of destination.

Those letters shall not give rise to the recovery of any postage, duty, or tax to be paid by the receivers.

VI. The option of forwarding letters paid or unpaid, specified in Article IV preceding, in favour of ordinary letters from the two countries, shall be applicable to letters and packets containing patterns of goods.

Patterns of goods shall be liable to the postage of letters.

VII. The postage to be collected in Belgium on paid letters addressed to the United Kingdom of Great Britain and Ireland, as well as on unpaid letters or letters insufficiently prepaid by means of postage stamps, originating in the United Kingdom of Great Britain and Ireland, is fixed as follows:

1st. At 40 centimes for each single paid letter.

2ndly. At 80 centimes for each single unpaid letter.

3rdly. And at double the amount of the deficiency for each letter insufficiently prepaid by means of postage stamps.

Reciprocally, the postage to be collected in the United Kingdom of Great Britain and Ireland on paid letters addressed to Belgium, as well as on unpaid letters or letters insufficiently prepaid by means of postage stamps originating in Belgium, is fixed as follows:

1st. At 4*d.* for each single paid letter.

2ndly. At 8*d.* for each single unpaid letter.

3rdly. And at double the amount of the deficiency for each letter insufficiently prepaid by means of postage stamps.

The rates of postage mentioned in the present Article shall be subject in each country to the following progression of weight:

1st. For every letter of which the weight shall not exceed 15 grammes (half an ounce), one single rate.

2ndly. Exceeding 15 grammes (half an ounce) and not exceeding 30 grammes (1 ounce), 2 rates.

3rdly. Exceeding 30 grammes (1 ounce) and not exceeding 60 grammes (2 ounces), 4 rates.

4thly. Exceeding 60 grammes (2 ounces) and not exceeding 90 grammes (3 ounces), 6 rates.

And so on, adding 2 rates per 30 grammes or fraction of 30 grammes (1 ounce or fraction of 1 ounce).

The progressive scale determined by the present Article shall be applicable not only to the international correspondence, but also to that originating in or destined for other countries, and passing in transit in ordinary mails over the Belgian territory or over the territory of the United Kingdom.

It is agreed that in everything that relates to the execution of the present Article the British ounce shall be considered as equivalent to 30 grammes.

VIII. The two offices shall mutually account to each other for the portion of the postage of the correspondence exchanged between them which is due to each.

In order to simplify this operation, all letters contained in one and the same mail, and belonging to the same class, shall be weighed in bulk and delivered at the following rates:

The Post Office of Belgium shall pay to the British Post Office:

1st. For paid letters or letters insufficiently prepaid in Belgium by means of postage stamps addressed to the United Kingdom of Great Britain and Ireland, the sum of 4*d.* per ounce British.

2ndly. And for unpaid letters originating in the United Kingdom of Great Britain and Ireland, and destined for Belgium, the sum of 8*d.* per ounce British.

Reciprocally, the British Post Office shall pay to the Post Office of Belgium:

1st. For paid letters or letters insufficiently prepaid in the United Kingdom of Great Britain and Ireland by means of postage stamps, as well as for letters prepaid in the British Colonies and Possessions in which the British Office maintains Post Offices, addressed to Belgium, the sum of 40 centimes per 30 grammes net weight.

2ndly. For unpaid letters originating in Belgium, and destined for the United Kingdom, the sum of 80 centimes per 30 grammes net weight.

3rdly. For unpaid letters also originating in Belgium, and destined for the British Colonies and Possessions in which the British Office maintains Post Offices, the sum of 40 centimes per 30 grammes net weight.

IX. The stipulations of the preceding Articles are applicable not only to the letters composing the ordinary mails, but also to those forwarded by the special opportunities mentioned in Article XIII of the Convention of the 19th of October, 1844.\*

### CHAPTER III.—*Transit of Foreign Correspondence.*

#### § 1.—*Transit in ordinary Mails.*

X. The Belgian Post Office shall continue to convey without

\* See Vol. VII. Page 86.

charge to the British Office all the letters which the said office shall transmit to it in ordinary mails to be forwarded to other States of the Continent in transit through Belgium; and also those originating in the said States and destined for Great Britain, which may be sent in ordinary mails by the same route.

Those letters shall be forwarded as well by the British Office to that of Belgium as by this last office to that of Great Britain without any charge or expense. The office of Belgium, however, reserves to itself the right to levy upon the other offices concerned a transit rate, the amount of which shall not exceed 20 centimes per 30 grammes net weight.

XI. The Post Office of Belgium shall pay to the Post Office of the United Kingdom of Great Britain and Ireland for the paid correspondence originating in Belgium, or in the States of the Continent, the correspondence of which is forwarded through Belgium, and forwarded by way of the United Kingdom addressed to the colonies and countries beyond sea, as well as for the unpaid correspondence originating in the colonies and countries beyond sea, forwarded by way of the United Kingdom and destined for Belgium or for the States of the Continent, the correspondence of which is forwarded through Belgium, as follows:

1st. For the transit over the territory of the United Kingdom, *2d.* per single letter.

2ndly. The sea rate paid by the British public upon letters originating in or addressed to the colonies and countries beyond sea.

On its side the Post Office of the United Kingdom of Great Britain and Ireland shall pay to the Post Office of Belgium for the postage of correspondence originating in the United Kingdom, forwarded by way of Belgium, and destined for the colonies and countries beyond sea, as well as of that originating in the colonies and countries beyond sea, and forwarded by way of Belgium addressed to the United Kingdom, as follows:

1st. 20 centimes per 30 grammes net weight, for the transit over the Belgium territory.

2nd. 80 centimes per 30 grammes net weight, for the sea rate, in all one franc per 30 grammes net weight.

#### § 2.—*Transit in closed Mails.*

XII. The Belgian Government engages to grant to the British Government the transit in closed mails through its territory of the correspondence of the United Kingdom, the British Colonies and Possessions, and other countries beyond sea to the various States of the Continent, the correspondence of which shall be transmitted through Belgium, as also of the correspondence from those States for the United Kingdom, the



British Colonies and Possessions and other countries beyond sea at the rate of 20 centimes per 30 grammes net weight for letters, and of 80 centimes per kilogramme for newspapers and printed papers of every kind.

Nevertheless letters, newspapers, and printed papers exchanged in closed mails by way of Belgium between the United Kingdom and the Netherlands are excepted from the provisions of the present Article.

XIII. Should the British Post Office deem it advisable to transmit through Belgium the closed Mails containing the correspondence between the United Kingdom of Great Britain and Ireland, the British Colonies and Possessions, and other countries beyond sea, on the one side, and on the other side, the East Indies and other countries, the correspondence of which shall be transmitted by way of the East Indies, the Post Office of Belgium engages to effect the conveyance of the said correspondence through the Belgian territory, at the transit rates fixed by Article XII of the present Convention.

XIV. The Belgian Government further engages to convey, also in closed mails, at the rates respectively fixed on behalf of the Belgian Post Office by Articles XI and XX of the present Convention, letters, newspapers, and printed papers of every kind between the United Kingdom, the British Colonies and Possessions, and other countries beyond sea on the one side, and, on the other side, the several States of the two Continents of America, the correspondence of which may be forwarded at the expense of the Belgian Post Office, either by private ships, by Government vessels, or by vessels freighted by order of Government dispatched from or bound to the ports of Belgium.

XV. The British Government engages on its part to grant at the rates respectively fixed on behalf of the British Post Office by Articles XI and XX of the present Convention for conveyance in ordinary mails, the transit in closed mails of letters, newspapers, and printed papers of every kind, addressed from Belgium to the several States of America or to other foreign countries; and also from those States and foreign countries to Belgium which may be conveyed either by private ships, by Government vessels, or by vessels freighted by order of Government dispatched from or bound to the ports of the United Kingdom.

XVI. The mails which shall be exchanged in conformity with Article II of the present Convention between the Belgian Post Offices established on the lines of railway from Ghent to Mouscron, and from Brussels to Quiévrain, on the one side, and the British Post Offices of London and Dover, on the other side, shall be forwarded through the medium of the Post Office of France.

In addition to the rates fixed by Article VII of the present

Convention the correspondence, whether paid or unpaid, which the public of the two countries may wish to send by the route of France, shall be subject to a supplementary rate of two décimes, or pence, per single letter.

This correspondence shall be forwarded on either side, according to the conditions established by Articles VIII and XI of the preceding Articles.

The Post Office of Belgium shall pay the transit rates of 40 centimes for every 30 grammes, net weight, for letters, and of one centime per newspaper for newspapers which will be due to the Post Office of France for the conveyance of the letters and newspapers mentioned in the present Article, through the French territory. These rates shall be repaid to the Belgian Post Office by the British Post Office in respect of those of the said letters and newspapers upon which the latter office shall have collected the postage.

#### CHAP. IV.—*Newspapers and Printed Papers.*

##### § 1.—*International Newspapers and Printed Papers.*

XVII. Newspapers, gazettes, periodical works, stitched or bound books, pamphlets, sheets of music, catalogues, prospectuses, announcements and notices of various kinds, whether printed, engraved, or lithographed, which shall be sent either from Belgium to the United Kingdom of Great Britain and Ireland, or from the United Kingdom of Great Britain and Ireland to Belgium, shall be prepaid on each side to destination.

It is expressly agreed, that the printed papers which each of the two offices shall deliver to the other as paid to destination in virtue of the present Article, shall not on any pretext, except in the case of insufficient prepayment, provided for by Article XVIII following, be charged with any rate or duty whatever to be paid by the receiver.

It is nevertheless understood that this provision does not in any way invalidate the right of either office to refuse to deliver printed papers, the importation of which may be prohibited by the laws and regulations of the country to which they are transmitted.

XVIII. The mutual transmission of newspapers and printed papers of every kind mentioned in Article XVII preceding shall not give rise to any account: each office shall retain the postage which it shall have collected.

These printed papers, duly paid, shall be put under bands, and shall not contain any writing, figures, or manual mark whatsoever.

Printed papers which are not in conformity with these conditions shall be treated as letters and charged accordingly.

Newspapers and other printed papers insufficiently prepaid

by means of postage stamps shall be charged with double the amount of the deficiency. The produce of this charge shall be retained by the office which collects it.

§ 2.—*Newspapers and Printed Papers in Transit.*

XIX. Newspapers published in the United Kingdom of Great Britain and Ireland, and addressed to persons residing in the several States of the Continent, the correspondence of which shall be transmitted through Belgium, and also newspapers forwarded from the said States to the United Kingdom of Great Britain and Ireland, shall continue to be delivered by one office to the other without charge.

The Post Office of Belgium reserves to itself, however, the right to levy upon the above-mentioned States for the conveyance of the newspapers through the Belgian territory a transit rate of 2 centimes for every newspaper.

XX. The Post Office of Belgium shall pay to the British Post Office, for the conveyance across the United Kingdom of newspapers and other printed papers in transit which the British Post Office shall convey through its territory on account of the Belgium Post Office, the sum of 5*d.* per pound of printed papers, net weight.

The Post Office of Belgium shall further pay to the British Post Office, for the sea conveyance of newspapers and other printed papers which the British Mail Packets shall convey on account of the Post Office of Belgium, the sum of 5*d.* per pound of printed papers, net weight.

The same sum of 5*d.* per pound, net weight, shall also be paid by the Post Office of Belgium to the British Post Office for the sea postage of newspapers and other printed papers which the Post Office of Belgium shall forward or receive by way of Great Britain, and by means of private ships leaving or arriving at the ports of the United Kingdom.

In consideration of the expense incurred by the British Post Office for the conveyance of mails across the Isthmus of Suez, or the Isthmus of Darien, the Post Office of Belgium shall further pay to the British Post Office for newspapers and other printed papers, which the Post Office of Belgium shall forward or receive by British mail packets, and by way of either Isthmus, viz. :

A. For the conveyance of newspapers and other printed papers across the Isthmus of Suez, a transit rate of 4*d.* per pound of printed papers, net weight.

B. For the conveyance of newspapers and other printed papers across the Isthmus of Darien, a transit rate of 1*s.* per pound of printed papers, net weight.

It is understood, that in the event of the expenses borne by the British Office for the conveyance of printed papers across

either of the two Isthmuses being increased, the sums mentioned under letters A and B above shall be increased in an equal proportion.

Reciprocally, the British Post Office shall pay to the Post Office of Belgium for transit and sea postage of newspapers and other printed papers, which the British Office shall exchange through the medium of the office of Belgium with colonies and countries beyond sea, the sum of 1 franc 80 centimes per kilogramme of printed papers, net weight.

XXI. The present Convention is concluded for an indefinite period.

It cannot be annulled by either of the two offices, except after notice given to the other office at least 6 months previously.

XXII. The following regulations are abrogated, viz.:

1st. The provisions of the Articles agreed upon, concluded at Brussels on the 6th, and at London on the 27th November, 1844.\*

2nd. And the provisions of the Additional Articles agreed upon, concluded at Brussels on the 6th, and at London on the 18th June, 1845.†

XXIII. The present Convention shall be put into execution on the 1st of October, 1857.

Done in duplicate at Brussels the 14th day, and in London the 28th day of August, 1857.

ROWLAND HILL,

*Secretary of the General Post Office of the United Kingdom of Great Britain and Ireland.*

MASUL,

*Directeur-Général de l'Administration des Chemins de Fer, Postes, et Télégraphes de la Belgique.*

DETAILED REGULATIONS arranged between the Post Office of the United Kingdom of Great Britain and Ireland and the Post Office of Belgium, for the execution of the Convention of the  $\frac{1}{2}\frac{1}{8}$  of August, 1857.‡ Signed in the English and French Languages, at Brussels, the 14th, and at London the 29th August, 1857. ]

#### CHAPTER I.—*Exchange of Correspondence.*

ART. I. The principal exchange of the mails containing the international and transit correspondence mentioned in Article I of the Convention of the  $\frac{1}{2}\frac{1}{8}$  of August, 1857, shall take place at Ostend and Dover.

The conveyance of the mails between these two points shall be effected as follows:

\* See Vol. VII. Page 114.

† See page 182.

‡ See Vol VII. Page 145.



Three times a week, in both directions, by packets belonging to or freighted by the Belgian Government.

Three times a week, in both directions, by packets belonging to or freighted by the British Government.

The ordinary departures from Ostend to Dover shall take place daily, Saturday excepted.

The ordinary departures from Dover to Ostend shall likewise take place daily, Sunday excepted.

## CHAPTER II.—*Regulations between the respective Offices of Exchange.*

II. The following shall be the regulations for the exchange of mails between the Belgium and the British Offices.

1st. The Office of Ostend (local) shall exchange mails with the Offices of London and Dover.

2nd. The office of Ostend (travelling) shall exchange mails with the offices of London and Dover.

3rd. The Belgian Post Offices established on the lines of railway of the South (Quiévrain) and of the West (Mouscron) shall exchange mails with the British Post Offices of London and Dover.

4th. The office of Antwerp shall exchange mails with the offices of London and Hull.

III. The correspondence of every kind exchanged between the Post Office of Belgium and the Post Office of the United Kingdom in ordinary mails shall be forwarded on each side in conformity with the rules laid down in Tables marked A and B annexed to the present Articles.

Nevertheless, the mails exchanged by the route of France, in virtue of Article XVI of the Convention of 14<sup>th</sup> of August, 1857, between the travelling offices established on the Belgian railways, on the lines of the South (Quiévrain) and of the West (Mouscron) on the one part, and the offices of London and Dover on the other part, shall only comprise letters and newspapers.

IV. The supplementary mails which the Belgian Offices of Exchange of Ostend (local), Ostend (travelling), and Antwerp on the one part, and the British Offices of London, Dover, and Hull on the other, may forward by private steamers shall comprise only such correspondence as the senders shall expressly desire to be forwarded by these means, and in this case the intention of the said senders must be expressed by writing on the address :—" *By Private Ship.*"

## CHAPTER III.—*Regulations relating to International Correspondence.*

V. The amount of the deficient postage as regards letters, newspapers, and printed papers insufficiently prepaid by means of postage stamps shall be indicated on the address of such articles by the dispatching Office.

No packet which evidently contains newspapers or printed papers only shall be forwarded as a letter, unless the reason is stated on the address by the dispatching Office.

VI. It is agreed that the weight of registered letters sent from one country to the other, shall be included in that of the ordinary prepaid letters, and that each office shall retain the extra postage which shall have been charged in its territory, in conformity with the stipulations in Article VIII of the Convention of 14<sup>th</sup> of August, 1857, so that this surplus shall not give rise to any account between the two offices.

The addresses of registered letters shall be entered in the Table which is prepared for that purpose in the letter-bill, with such particulars as are pointed out by the said table.

These letters shall be tied up together with a cross string, the ends of which shall be made fast to the bottom of the letter-bill of the dispatching Office by means of a seal made of sealing-wax.

VII. Registered letters from British colonies or foreign countries shall be reciprocally exchanged between the Belgian and British Offices, with the same precautions used for registered letters posted in the two countries, and the additional postage charged, will, in like manner, give rise to no account between the two offices.

#### CHAPTER IV.—*Regulations for the Transit of various Descriptions of Correspondence.*

VIII. The prepayment of the postage of letters addressed to the colonies and countries beyond sea, which are to be conveyed either by means of regular packets or by private ships leaving the ports of the United Kingdom, is optional or compulsory.

It is optional for the British Colonies and Possessions, and the other countries in transit through Great Britain, mentioned in the Table marked C, annexed to the present regulations. It is compulsory for all the countries and settlements beyond sea mentioned in the Table marked D.

The prepayment of letters addressed to the colonies and countries beyond sea, wherever they may be situated, which are to be conveyed by private ships leaving the ports of Belgium, shall always be compulsory.

The Tables C and D referred to, show the postage which is to be accounted for to the British Office by the Belgian Office for paid letters addressed to the British Colonies and Possessions, and to other countries beyond sea, as well as for unpaid letters which have originated in the colonies and countries beyond sea.

IX. When the writers of letters addressed to the colonies and countries beyond sea, which the two offices shall forward

mutually to each other, to be transmitted to their respective ports, shall wish them to be conveyed by private ships leaving those ports, such intention must be expressed by writing on the address the words "*Bâtiment du commerce*," or "*Private ship*."

In all cases where such direction is not given, letters addressed to the colonies and countries beyond sea, wherever the same may be situated, which the two offices may forward to each other, shall be transmitted by means of the regular packets maintained or freighted by their respective Governments, unless the payment of the said letters be compulsory, in which case they shall be returned to the office from which they were forwarded, in the manner prescribed by Article XXXVII of the Convention of the 19th October, 1844.\*

CHAPTER V.—*Letter Bills, Acknowledgments of Receipts, Weights, and Stamps.*

X. Every mail, whether ordinary or supplementary, passing between the offices of exchange of the respective Post Offices, shall be accompanied by a letter-bill specifying, according to the classifications established by the Convention of the 1<sup>st</sup> of August, 1857,† the nature and weight of the articles contained in the said mail.

The office to which the mail is addressed shall return, by the next post, an acknowledgment of receipt to the office from which it was transmitted.

The letter-bills and acknowledgments of receipt for the use of the respective offices of exchange shall be made according to the forms agreed upon (E and F) annexed to the present Articles.

The offices of exchange authorized to dispatch supplementary mails to the corresponding offices shall make a distinction between the supplementary and the ordinary mails, by writing at the top of the letter-bills which shall accompany the former "*Supplementary mails*."

The acknowledgments of the receipt of the said supplementary mails shall bear a similar inscription.

XI. If it should happen on the usual days for making up the ordinary mails that there should not be any letters or other correspondence from either of the offices of exchange for the corresponding office, a mail containing only a blank letter-bill shall nevertheless be sent.

XII. For the mutual transmission of ordinary or registered letters, the Belgian Offices of Exchange shall uniformly make use of weights having the gramme for unit, and the Offices of Exchange for the United Kingdom, its Possessions and Settlements, shall uniformly make use of weights having the British ounce for unit, with its divisions unto half ounces and quarters of an ounce.

\* See Vol. VII. Page 86.

† See Page 190.

The ordinary or registered letters shall be weighed by the offices forwarding them previous to their being tied up into parcels and wrapped in paper; and in like manner the verification of the weight of the same, as stated in the letter-bills, shall not take place in the corresponding offices till after the letters have been separated from the string and paper in which they were bound.

XIII. In addition to the local and date stamp, with which ordinary or registered letters exchanged between the respective offices must be marked, such of those letters as have been paid to their destination shall bear plainly impressed on the address another stamp with the initials P. D.

Newspapers and printed papers, when paid to destination, shall also bear the stamp P. D.

Articles of a like nature addressed to the colonies and countries beyond sea, exchanged between the same offices, and paid to their destination, shall also be marked with the stamp P. D.

Those of the above-mentioned Articles which, in conformity with the Convention of the  $\frac{14}{8}$  of August, 1857,\* must be forwarded on either side, paid to some limit, shall be marked with a stamp bearing the initials P. P.

Registered letters forwarded from either side must be marked with a special stamp, bearing the word "Chargé" (Registered).

Letters, newspapers, and printed papers insufficiently paid by means of postage stamps must be marked with a stamp bearing the following words:

In Belgium, "Affranchissement insuffisant."

In England, "Insufficiently prepaid."

XIV. The weight of the letters, newspapers, and printed papers contained in the closed mails conveyed by the Belgian Office on account of the British Office shall be stated in grammes, or in ounces by the latter office, on the letter-bills or acknowledgments of receipt.

#### CHAPTER VI.—*Dead Letters.*

XV. The postage of all dead letters, which are to be mutually returned in conformity with Article XXXVII of the Convention of 19th October, 1844,† shall be allowed in discharge of the account of the office to which the said letters have been originally transmitted, only when the state of their seals shall not lead to the supposition that the letters have been read by the persons to whom they are addressed, except, however, in the case provided for by Article XXXVIII of the said Convention as regards letters which have been conveyed in transit and which cannot be produced.

XVI. Letters forwarded for the purpose of annoying or

\* See Page 182.

† See Vol. VII. Page 86.



injuring the parties to whom they are addressed, the postage of which both offices are authorized to return to the public, even after they have been opened, may be included and admitted with the dead letters mutually returned.

CHAPTER VII.—*Accounts of the Reciprocal Transmission of Correspondence.*

XVII. The Post Office of the United Kingdom shall prepare every month separate accounts exhibiting the results of the exchange of correspondence between the respective offices. Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the month.

The separate accounts shall be immediately incorporated in a general account, which shall exhibit the result of the exchange of correspondence, whether in ordinary or closed mails during the month.

The separate and general accounts shall be made out according to the forms agreed upon (G and H), which are annexed to the present Articles.

Done in duplicate at Brussels, the 14th day, and in London, the 29th day of the month of August, 1857.

ROWLAND HILL,

*Secretary of the General Post Office of the United Kingdom of Great Britain and Ireland.*

MASUL,

*Directeur-Général des Chemins de Fer, Postes, et Télégraphes de la Belgique.*

(A).—Table showing the Correspondence to be included in the Mails forwarded by the Belgian Offices of Exchange to the British Offices of Exchange.

Offices of Exchange.		Origin of the Correspondence.	Destination of the Correspondence.
Whence Dispatched.	Destination.		
Ostend (Local) ... } Ostend (Travelling) ... } Travelling Office of the South (Quai-train) ... } Travelling Office of the West (Mouscron) ... }	Dover ... } Dover ... }	Belgium, and the Foreign Countries the Correspondence of which is forwarded through Belgium ... } Belgium* ... }	Ashford, Bidenden, Blackheath, Bromley, Canterbury, Charlton, Chatham, Cranbrook, Croydon, Deal, Deptford, Dover, East Grinstead, Edenbridge, Feversham, Folkestone, Gravesend, Greenwich, Hastings, Hythe, Lee, Lewisham, Maidstone, Margate, New Romney, Queenborough, Ramsgate, Reigate, Rochester, Rye, Sandwich, Sheerness, Shooter's Hill, Sittingbourne, Staplehurst, St. Leonard's, Tenterden, Tunbridge, Tunbridge Wells, Walmer, Wingham, Woolwich. Great Britain and Ireland, and the Colonies and Countries beyond Sea, with the exception of the places mentioned above.
Ostend (Local) ... } Ostend (Travelling) ... } Travelling Office of the South (Quai-train) ... } Travelling Office of the West (Mouscron) ... }	London ... } London ... }	Belgium, and the Foreign Countries the Correspondence of which is forwarded through Belgium ... } Belgium* ... }	

\* Whenever the words "en France" are written on the address of Letters and Newspapers.

(B.)—TABLE showing the Correspondence to be included in the Mails forwarded by the British Offices of Exchange to the Belgian Offices of Exchange.

Offices of Exchange.		Origin of the Correspondence.	Destination of the Correspondence.
Whence Dispatched.	Destination.		
Dover	{ Ostend (Local) ..  Ostend (Travelling)  Travelling Office of the South (Quiévrain) Travelling Office of the West (Mouscron)  Ostend (Local) ..  Ostend (Travelling)  Travelling Office of the South (Quiévrain) Travelling Office of the West (Mouscron)	{ Ashford, Bidenden, Blackheath, Bromley, Canterbury, Charlton, Chatham, Cranbrook, Croydon, Deal, Deptford, Dover, East Grinstead, Edenbridge, Feversham, Folkestone, Gravesend, Greenwich, Hastings, Hythe, Lee, Lewisham, Maidstone, Margate, New Romney, Queenborough, Ramsgate, Reigate, Rochester, Rye, Sandwich, Sheerness, Shooter's Hill, Sittingbourne, Staplehurst, St. Leonard's, Tenterden, Tunbridge, Tunbridge Wells, Walmer, Wingham, Woolwich .. ..  The places mentioned above  Ditto* .. ..  Great Britain and Ireland (with the exception of the places mentioned above), Colonies, and Countries beyond sea .. ..  Ditto .. ..  Great Britain and Ireland (with the exception of the places mentioned above)*	{ Ostend, Nieuport, Furnes, Ghistelles, and Plasschendaele.  Belgium (with the exception of Ostend, Nieuport, Furnes, Ghistelles, and Plasschendaele), and the Foreign Countries the Correspondence of which is forwarded through Belgium.  Belgium.  Ostend, Nieuport, Furnes, Ghistelles, and Plasschendaele.  Belgium (with the exception of Ostend, Nieuport, Furnes, Ghistelles, and Plasschendaele), and Foreign Countries the Correspondence of which is forwarded through Belgium.  Belgium.
London	{ Travelling Office of the South (Quiévrain) Travelling Office of the West (Mouscron)	{ Great Britain and Ireland (with the exception of the places mentioned above)*	{ Belgium.

\* Whenever the words "*via* France" are written on the address of Letters and Newspapers.

(C).—List of British Colonies and Possessions in which the British Office maintains Post Offices, and also of Foreign Countries, to or from which the pre-payment of Postage upon Letters is optional, with the Rate of Postage to be accounted for to that Office, as well for Unpaid Letters from those Colonies and Possessions or Foreign Countries addressed to Belgium, or to any of the States beyond Belgium, as for Paid Letters sent from Belgium or from the said States to those Colonies and Possessions or Foreign Countries:

British Colonies and Foreign Countries.	Rate per Single Letter.	British Colonies and Foreign Countries.	Rate per Single Letter.
WEST INDIES.	s. d.	NORTH AMERICA.	s. d.
Antigua .. .. .	0 8	Canada, <i>via</i> the United States.	0 10
Bahamas .. .. .		„ <i>via</i> Halifax .. ..	0 8
Barbadoes .. .. .		„ <i>via</i> Canadian Packet.	0 8
Berbice .. .. .		„ <i>via</i> United States' Packet .. ..	1 4
Cariacou .. .. .		New Brunswick .. ..	0 8
Demerara .. .. .		„ <i>via</i> the United States .. ..	0 10
Dominica .. .. .		„ by United States Packet .. ..	1 4
Essequibo .. .. .		Nova Scotia .. .. .	0 8
Grenada .. .. .		„ <i>via</i> the United States .. ..	0 10
Jamaica .. .. .		„ by United States Packet .. ..	1 4
Montserrat .. .. .		Prince Edward Island .. ..	0 8
Nevis .. .. .		„ <i>via</i> the United States .. ..	0 10
St. Christopher or St. Kitts		„ by United States Packet .. ..	1 4
St. Lucia .. .. .		„ <i>via</i> the United States .. ..	0 10
St. Vincent .. .. .		„ by United States Packet .. ..	1 4
Tobago .. .. .	0 8	Newfoundland .. .. .	0 8
Tortola .. .. .		„ <i>via</i> the United States .. ..	0 10
Trinidad .. .. .	0 8	„ by United States Packet .. ..	1 4
Belize .. .. .		Bermuda .. .. .	0 8
Accra .. .. .	0 8	Alexandria .. .. .	0 8
Cape Coast Castle .. .. .		Mauritius .. .. .	
Sierra Leone .. .. .		British East Indies .. ..	
		Aden .. .. .	
		Gibraltar .. .. .	
		Malta .. .. .	
		Ceylon .. .. .	
		Hong Kong .. .. .	
		St. Helena .. .. .	
		British Colonies and Possessions specified in the present Table, the conveyance being by Private Ship .. ..	

(D.)—List of British Colonies and Possessions in which the British Office does not maintain Post Offices, and also of Foreign Countries the Correspondence for which, originating in Belgium or in any of the States of the Continent beyond Belgium, and forwarded through Great Britain, must be prepaid, with the Rate of Postage to be accounted for by the Office of Belgium to the British Office for the Correspondence originating in or addressed to those British Colonies and Possessions or Foreign Countries:

British Colonies and Foreign Countries.	Rate per Single Letter.	British Colonies and Foreign Countries.	Rate per Single Letter.
	s. d.		s. d.
Azores .. .. . }	1 10	Sandwich Islands, <i>viâ</i> the	1 3
Canaries .. .. . }		United States .. .. . }	
Madeira .. .. . }		Sandwich Islands, <i>viâ</i> Pa-	
South Australia .. .. . }	0 8	nama .. .. . }	2 6
Western Australia .. .. . }		Mexico .. .. . }	2 3
New South Wales .. .. . }		„ by United States ..	1 6
Victoria .. .. . }	0 8	Cape de Verd .. .. . }	1 10
Tasmania .. .. . }		Spain .. .. . }	2 4
New Zealand .. .. . }		Portugal .. .. . }	1 9
East Indies (British India ex-	0 8	Greytown .. .. . }	2 3
cepted) .. .. . }		California } <i>viâ</i> United States	1 3
Ascension .. .. . }		Oregon } <i>viâ</i> Panama ..	2 6
Bourbon .. .. . }	1 2	United States, by British	0 10
China (Hong Kong excepted)		Packet .. .. . }	
Egypt (Alexandria excepted)		United States, by United	
Falkland Islands .. .. . }	1 5	States Packet .. .. . }	0 2
Cape of Good Hope and Natal		Honduras .. .. . }	0 8
Brazil .. .. . }		Cayenne .. .. . }	
Buenos Ayres .. .. . }	0 8	Surinam .. .. . }	
New Grenada .. .. . }		Guatemala .. .. . }	2 2
Uruguay .. .. . }		Peru .. .. . }	
Venezuela .. .. . }	1 5	Chili .. .. . }	
Haiti .. .. . }		Bolivia .. .. . }	0 8
Porto Rico .. .. . }		Ecuador .. .. . }	
Guadaloupe .. .. . }	0 8	Stations in the Pacific Ocean,	1 2
Martinique .. .. . }		<i>viâ</i> Panama .. .. . }	
Curacoa .. .. . }		Bathurst .. .. . }	
St. Eustatius .. .. . }	2 3	Badagry .. .. . }	1 2
St. Martin .. .. . }		Bonny .. .. . }	
St. Croix .. .. . }		Cameroons .. .. . }	0 8
St. Thomas .. .. . }	1 3	West Coast } Fernando Po ..	
Cuba .. .. . }		of Africa. } Lagos .. .. . }	
„ <i>viâ</i> the United States..		Liberia .. .. . }	0 8
		Old Calabar .. .. . }	
		Wydah .. .. . }	
		Goree .. .. . }	0 10
		Colonies and Foreign Coun-	
		tries the conveyance being	
		by Private Ship:—	0 8
		Western Australia, South	
		Australia, New South	
		Wales, Victoria, Tas-	0 10
		mania, New Zealand,	
		Ascension, Vancouver's	
		Island, Labuan, and	0 10
		Natal .. .. . }	
		Other Colonies and Fo-	
		reign Countries .. .. . }	



CONVENTION *between Great Britain, Belgium, France, and the Netherlands, regulating the Drawbacks on Sugar.—Signed at Paris, November 8, 1864.\**

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SA Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, Sa Majesté le Roi des Belges, Sa Majesté l'Empereur des Français, et Sa Majesté le Roi des Pays-Bas, également animés du désir de régler d'un commun accord les questions internationales relatives à la législation des sucres, et notamment au drawback accordé à la sortie des sucres raffinés, ont résolu de convertir en une Convention Diplomatique l'arrangement que les Commissaires délégués par les Gouvernements des 4 Etats Contractants ont signé le 4 Octobre de la présente année.

A cet effet, leurs dites Majestés ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, l'Honorable William George Grey, Chargé d'Affaires de Sa Majesté Britannique à Paris ;

Sa Majesté le Roi des Belges, M. le Baron Eugène Beyens, Officier de l'Ordre de Léopold, Commandeur de l'Ordre Impérial de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur des Français ;

Sa Majesté l'Empereur des Français, M. Edouard Drouyn de Lhuys, Sénateur de l'Empire, Grand-Croix de son Ordre Impérial de la Légion d'Honneur, de l'Ordre de Léopold de Belgique, de l'Ordre du Lion Néerlandais, &c., son Ministre et Secrétaire d'Etat au Département des Affaires Etrangères ;

Sa Majesté le Roi des Pays-Bas, M. Léonard Antoine Lightenvelt, Grand-Croix de l'Ordre du Lion Néerlandais, Grand Officier de l'Ordre Impérial de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur des Français ;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivants :

ART. I. Le minimum du rendement des sucres au raffinage est réglé provisoirement ainsi qu'il suit, par cent kilogrammes de sucre brut :

\* Ratifications exchanged at Paris, July 5, 1865.

Nos. de la Série des Types Hollandais.				Sucres raffinés en pains.
18	}	..	..	87 kilogrammes.
17				
16				
15				
14	}	..	..	85 kilogrammes.
13				
12				
11				
10	}	..	..	81 kilogrammes.
9				
8				
7	}	..	..	76 kilogrammes.
Au-dessous de 7				

Les nuances intermédiaires entre deux classes appartiendront à la classe inférieure.

II. Immédiatement après l'échange des ratifications de la présente Convention, il sera procédé d'un commun accord, à frais communs, sous le contrôle collectif des agents nommés par les 4 Gouvernements contractants, et dans telle localité qui sera désignée de concert, à des expériences pratiques de raffinage sur des sucres bruts de chaque classe, et autant que possible des différentes origines, afin de constater leur rendement effectif.\*

III. Les rendements fixés par l'Article I seront modifiés d'après les résultats obtenus par les expériences ci-dessus mentionnées, qui devront être constatées à l'unanimité par les délégués des 4 Gouvernements, et terminées au plus tard un an après l'échange des ratifications de la présente Convention.

IV. Celles des Hautes Parties Contractantes qui accordent ou accorderont un drawback unique, ou une décharge de droits, établiront une corrélation exacte entre les droits d'entrée et les rendements fixés d'après l'Article précédent.

V. En attendant la mise à exécution des Articles II, III, et IV, les rendements établis par l'Article I ne seront pas obligatoires en Angleterre, à condition de maintenir la corrélation qui existe aujourd'hui entre le drawback fixé par l'Article suivant et l'échelle des droits actuels à l'importation tant sur les sucres bruts que sur les sucres raffinés.

VI. Il est d'ailleurs entendu que, jusqu'à ce que les Articles II, III, et IV, soient mises à exécution, le Gouvernement de Sa Majesté Britannique diminuera le drawback actuel à l'exportation des sucres raffinés de 6*d.* par quintal Anglais.

VII. Le rendement du sucre candi pourra être de sept pour cent inférieur à celui des sucres raffinés en pains.

\* See Declaration, November 20, 1866. Page 216.

VIII. Les sucres raffinés en pains destinés à l'exportation devront être présentés parfaitement épurés, durs, et secs, à la vérification des employés. Après cette opération, les sucres pourront être concassés ou pilés, sous la surveillance non-interrompue du service.

IX. Les sucres dits "poudres blanches," rendus par un procédé quelconque égaux en qualité aux sucres mélis, recevront à l'exportation le même drawback que ces derniers sucres, à la condition, 1<sup>o</sup>, d'être assimilés, quant à la perception de l'impôt de consommation ou des droits d'entrée, aux sucres raffinés; 2<sup>o</sup>, d'être parfaitement épurés et séchés, et conformes à l'échantillon type établi par la législation actuelle de la Grande Bretagne, lequel type deviendra obligatoire pour ceux des Pays Contractants qui voudraient user de la faculté prévue par le présent Article.

X. Le drawback accordé à la sortie des sucres dits bâtards ou vergeoises, selon le type auquel ils appartiennent, ne pourra excéder les droits afférents aux sucres bruts.

Sous le régime de l'admission temporaire, les mêmes sucres ne pourront être admis en compensation à la sortie, que pour des quantités n'excédant pas celles des sucres pris en charge, et sous la condition de n'être pas inférieurs, quant à la nuance, au type No. 10.

XI. Il ne sera pas accordé de drawback, de restitution de droits, ou de décharge à l'exportation pour les mélasses et les sirops.

XII. Le droit à l'importation sur les sirops de raffinage épuisés, et sur les mélasses ordinaires, ne devra pas excéder le tiers du droit applicable au sucre brut des types Nos. 10 à 14. Les sucres dits "mélados" paieront les mêmes droits que les sucres bruts.

XIII. Les droits à l'importation sur les sucres raffinés en pains et sur les poudres blanches assimilées aux raffinés, importés d'un des pays contractants dans l'autre, ne seront pas plus élevés que le drawback accordé à la sortie du sucre mélis.

En France, les droits à l'importation seront de 15 pour cent supérieurs au droit sur le sucre brut des Nos. 15 à 18. Ce chiffre sera réduit ou augmenté en raison inverse du rendement qui sera définitivement établi.

Le droit sur le sucre candi pourra être de 7 pour cent plus élevé que le droit afférent aux autres sucres raffinés.

Les vergeoises seront assimilées aux sucres bruts.

XIV.\* En attendant la mise à exécution des Articles II et III, les droits sur tous les sucres raffinés pourront être de 4 pour cent supérieurs au taux déterminé par l'Article précédent.

XV. Les tares légales dans les pays où la perception ne s'effectue pas sur le poids net, seront fixées ainsi qu'il suit :

\* See Declaration. Page 203.

Emballage en bois (futaillcs, caisses, &c.) 13 pour cent.

Canastres .. .. 8 „

Autres emballages { Doubles .. .. 4 „  
Simples .. .. 2 „

Pour les sucres de betterave et pour les sucres importés dans des emballages autres que ceux qui sont en usage pour les sucres exotiques, les droits seront perçus au net.

XVI. La prise en charge dans les fabriques de sucre abonnées sera portée immédiatement à 1475 grammes par l'hectolitre de jus, et par degré du densimètre à la température de 15 degrés centigrades. Elle sera fixée à 500 grammes dès que la production annuelle en Belgique aura atteint 25,000,000 de kilogrammes. Le droit à percevoir dans les fabriques de sucre abonnées sera le droit auquel seront soumis les sucres exotiques des Nos. 10 à 14.

Il est d'ailleurs entendu que les sucres bruts de betterave importés d'un des pays contractants dans l'autre, seront admis à l'exportation après raffinage, à la condition, en ce qui concerne l'importation en France, qu'ils ne dépasseront pas le No. 16.

XVII. La restitution ou la décharge des droits ne sera accordée aux sucres bruts indigènes au-dessous du No. 10, provenant de fabriques abonnées, que pour une quantité réduite proportionnellement aux rendements fixés par les Articles I et III.

XVIII. Les Administrations respectives des Hautes Parties Contractantes se concerteront pour déterminer, d'un commun accord, les types nécessaires à l'exécution du présent arrangement, et pour les réviser périodiquement.

XIX. Les Hautes Parties Contractantes se réservent de se concerter sur les moyens d'obtenir l'adhésion des Gouvernements des autres pays aux dispositions de la présente Convention.

Dans le cas où des primes seraient accordées dans les dits pays à l'exportation des sucres raffinés, les Hautes Parties Contractantes pourront s'entendre sur les surtaxes à établir à l'importation des sucres raffinés des dites provenances.

XX. L'exécution des engagements réciproques contenus dans la présente Convention est subordonnée, en tant que de besoin, à l'accomplissement des formalités et règles établies par les lois constitutionnelles de celles des Hautes Parties Contractantes qui sont tenues d'en provoquer l'application, ce qu'elles s'obligent à faire dans le plus bref délai possible.

XXI. La durée de la présente Convention est fixée à 10 ans.

Les Hautes Parties Contractantes se réservent, d'ailleurs, la faculté d'introduire, d'un commun accord, dans cette Convention, toutes modifications qui ne seraient pas en opposition avec son esprit ou ses principes, et dont l'utilité serait démontrée par l'expérience.

XXII. La présente Convention sera ratifiée, et les ratifications en seront échangées à Paris dans le délai de 8 mois, ou plus tôt si faire se peut.



En foi de quoi, les Plénipotentiaires respectifs ont signé la présente Convention, et y ont apposé le cachet de leurs armes.

Fait à Paris, le 8 Novembre, 1864.

(L.S.)	W. G. GREY.
(L.S.)	B <sup>r</sup> . EUG. BEYENS.
(L.S.)	DROUYN DE LHUYS.
(L.S.)	LIGHTENVELT.

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*Protocole.*

Les Plénipotentiaires des Hautes Parties Contractantes déclarent qu'il est entendu que la Convention signée en date de ce jour deviendrait nulle de plein droit dans le cas où les expériences prévues par l'Article II n'aboutiraient pas dans le délai d'un an, à dater de l'échange des ratifications.

En foi de quoi, les Plénipotentiaires respectifs ont signé le présent Protocole, et y ont apposé le cachet de leurs armes.

Fait à Paris, le 8 Novembre, 1864.

(L.S.)	W. G. GREY.
(L.S.)	B <sup>r</sup> . EUG. BEYENS.
(L.S.)	DROUYN DE LHUYS.
(L.S.)	LIGHTENVELT.

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*Déclaration.*

Le Plénipotentiaire de Sa Majesté l'Empereur des Français déclare que le Gouvernement de Sa Majesté Impériale n'entend pas user du bénéfice des dispositions transitoires de l'Article XIV de la Convention signée à Paris, en date de ce jour, entre la Grande Bretagne, la Belgique, la France, et les Pays Bas. En conséquence les droits à l'importation en France des sucres raffinés restent tels qu'ils sont fixés par l'Article XIII de la dite Convention.

Le Plénipotentiaire de Sa Majesté Britannique prend acte de cette Déclaration.

Paris, le 8 Novembre, 1864.

(L.S.) W. G. GREY.

(L.S.) DROUYN DE LHUYS.

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*Procès-Verbal d'Echange.*

LES Soussignés s'étant réunis pour procéder à l'échange des ratifications de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, de Sa Majesté le Roi des Belges, de Sa Majesté l'Empereur des Français, de Sa Majesté le Roi des Pays Bas, sur la Convention relative à la législation des sucres, conclue à Paris, le 8 Novembre, 1864, entre la Grande Bretagne, la Belgique, la France, et les Pays Bas; les instruments de ces ratifications ont été produits, et ayant été, après examen, trouvés en bonne et due forme, l'échange en a été opéré.

Toutefois, les Plénipotentiaires Soussignés, duement autorisés, sont convenus :

1. Que la dite Convention sera exécutoire seulement à partir du 1 Août, 1865.

2. Que la stipulation relative aux sucres dits "Mélados," consignée à l'Article XII de la Convention, ne recevra son application qu'à partir du 1 Septembre prochain.

En foi de quoi, les Soussignés ont dressé le présent procès-verbal d'échange, et y ont apposé le cachet de leurs armes.

Fait à Paris, en 4 expéditions, le 5 Juillet, 1865.

(L.S.) COWLEY.

(L.S.) B<sup>r</sup>. EUG. BEYENS.

(L.S.) DROUYN DE LHUYS.

(L.S.) LIGHTENVELT.

BRITISH TREASURY WARRANT, *altering the Rates of Postage on Letters transmitted to and from Belgium, or to and from Switzerland and Luxemburg, viâ Belgium, or to and from Foreign Countries and Belgium, and between Belgium and British Colonies and Foreign Countries; as well as on Newspapers, Books, Printed Papers, Patterns, Samples of Merchandize, &c., to and from Belgium, or between Belgium and British Colonies viâ the United Kingdom. July 22, 1865.*

WHEREAS by an Act of Parliament, made and passed in the session of Parliament, holden in the 3rd and 4th years of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new and other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid; and it is provided that the power thereby given should extend to any increase or reduction or remission of postage.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury, by another Act made and passed in the session of Parliament holden in the 10th and 11th years of the reign of Her Majesty, chapter 85,† for giving further facili-

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

ties for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament made and passed in the 18th year of the reign of Her Majesty, chapter 27,\* for amending the laws relating to the stamp duties on newspapers, and for providing for the transmission by post of printed periodical publications.

And whereas the Commissioners of Her Majesty's Treasury, by a certain Warrant in writing under their hands, bearing date at Whitehall Treasury Chambers, the 24th day of September, 1857,† did make certain regulations for the transmission by the post of letters, newspapers, and other printed papers between the United Kingdom and *Belgium*, pursuant to a certain Convention then lately before made and concluded between the Post Office of the said two countries, and a certain other Convention having been lately made and concluded between the Post Offices of the said United Kingdom and *Belgium*, it is expedient, for the better carrying out of the same, to repeal, revoke, and annul the said recited Treasury Warrant of the 24th day of September, 1857, and to make other regulations in lieu thereof, in the manner hereinafter mentioned and contained.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said heretofore recited Acts of Parliament respectively, and all and every or some or one of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners (by the authority of the statute in that case made and provided) order, declare, and direct as follows, that is to say:

1. The said recited Warrant of the Commissioners of Her Majesty's Treasury, bearing date the said 24th day of September, 1857, shall be, and the same is, hereby repealed, revoked, and annulled; and the several orders, directions, regulations, and rates of postage therein mentioned and set forth shall wholly cease and determine on the day on which this present Warrant shall come into operation.

2. On every letter not exceeding one-half of an ounce in weight, posted in the United Kingdom, addressed to *Belgium*, or posted in *Belgium* addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom and any place in *Belgium*, the said respective letters being conveyed between the United Kingdom and *Belgium* direct by packet boat or private ship, there shall be charged and taken

\* See Vol. 10. Page 320.

† See Vol. 10. Page 715.

and paid an uniform rate of postage (British and *Foreign* combined) of 3*d.*, and on every such letter, when conveyed or sent in closed mails, *viâ France*, there shall be charged and taken and paid an uniform rate of postage (British and *Foreign* combined) of 4*d.*

3. On every letter not exceeding one-half of an ounce in weight, transmitted by the post between the United Kingdom and *Switzerland* or the Grand Duchy of *Luxemburg viâ Belgium*, and conveyed otherwise than in a closed mail, there shall be charged and taken and paid an uniform rate of British postage of 2*d.*

4. On every letter not exceeding one-half of an ounce in weight, transmitted by the post between *Belgium*, or any of Her Majesty's *Colonies* or any *Foreign Country viâ Belgium*, and any of Her Majesty's *Colonies* or any *Foreign Country* through the United Kingdom conveyed direct by packet boat or private ship between the United Kingdom and *Belgium*, or sent in closed mails, *viâ France*, there shall be charged and taken and paid an uniform rate of British postage of 2*d.* for the conveyance of every such letter between *Belgium* and any part of the United Kingdom; and also such a further or additional rate of British postage for the conveyance of every such letter between the port in the United Kingdom of the departure or arrival of the packet or ship conveying the same, and the *Colony* or *Foreign Country* to or from which the same shall be forwarded, as shall from time to time be charged and payable for British postage on letters not exceeding half an ounce in weight posted or delivered at the port in the United Kingdom of the departure or arrival of the packet or ship conveying the same, and transmitted direct between such port and any such *Colony* or *Foreign Country*; provided that in all cases where such additional rate includes both inland and sea services there shall be deducted therefrom the sum of 1*d.* in respect of the inland conveyance under this clause of every such letter sent through the United Kingdom.

5. On every letter so transmitted as is hereinbefore in this Warrant respectively mentioned, if exceeding one-half of an ounce in weight, there shall be charged, taken, and paid the several further and additional and progressive rates of postage according to the scale of weight and number of rates hereinafter mentioned, that is to say:

On every such letter so transmitted, exceeding one-half of an ounce in weight and not exceeding one ounce in weight, 2 rates of postage;

On every such letter so transmitted, exceeding one ounce and not exceeding one ounce and the half of another ounce in weight, 3 rates of postage;

On every such letter so transmitted, exceeding one ounce



and the half of another ounce and not exceeding two ounces in weight, 4 rates of postage;

On every such letter so transmitted, exceeding two ounces and not exceeding two ounces and the half of another ounce in weight, 5 rates of postage;

On every such letter so transmitted, exceeding two ounces and the half of another ounce and not exceeding 3 ounces in weight, 6 rates of postage;

And for every half of an ounce in weight of any such letter above the weight of 3 ounces, there shall be charged, taken, and paid one additional rate of postage; and in charging any additional rate of postage every fractional part of such additional half of an ounce shall be charged as an additional half of an ounce in weight; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant if not exceeding one-half of an ounce in weight.

6. On every letter transmitted by the post under the authority of the second clause of this Warrant, the postage thereof shall be paid at the time of the same being posted, either in money or by being stamped with the proper postage stamp or stamps being affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such letter, near the address, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

7. If any letter transmitted by the post under the authority of the second clause of this Warrant shall be posted without the postage payable thereon being duly and properly paid at the time of the same being posted, either in money or by being stamped with the proper postage stamp or stamps being affixed thereto, as hereinbefore directed, every such letter shall be charged with the postage to which it would have been liable under the provisions of this Warrant, if the postage had been fully paid thereon when posted, together with the further and additional rate of postage of 3*d*.

8. If any letter transmitted by the post under the authority of the second clause of this Warrant shall be posted, having thereon or affixed thereto a postage stamp or stamps, the value of which shall be less in amount than the rate of postage to which the same would be liable under or by virtue of this Warrant, every such letter shall be charged with postage as an unpaid letter, and the amount of such stamp or stamps affixed thereto shall be allowed and deducted in charging such postage thereon.

9. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions or privileges granted by the first said hereinbefore recited Act, or to annul, pre-

judice, or affect any of the privileges which seamen and soldiers employed in Her Majesty's Service are now by law entitled to, of sending and receiving by the post letters not exceeding one half of an ounce in weight, subject to the regulations and restrictions made and in force for the time being in respect of the same.

10. Letters marked "urgent" may be transmitted by the post under the authority of this Warrant upon the payment, when posted, of the rates of postage payable on registered letters, and also upon the payment of such additional charge or rates of postage for the delivery thereof at the time of such delivery as the Postmaster-General may from time to time direct or appoint in that behalf.

11. All packets consisting of printed newspapers, not exceeding 4 ounces in weight, posted in the United Kingdom addressed to *Belgium*, and transmitted by the post between any part of the United Kingdom and any place in *Belgium*, may be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto; and there shall be charged, taken, and paid, for the transmission of every such packet, an uniform rate of postage of 1*d.*, if the conveyance between the United Kingdom and *Belgium* be direct by packet boat or private ship, and of 2*d.* if such packets be sent in closed mails *viâ France*.

12. All packets consisting of printed papers other than newspapers not exceeding 4 ounces in weight, posted in the United Kingdom addressed to *Belgium*, and transmitted by the post between any part of the United Kingdom and any place in *Belgium*, may be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto; and there shall be charged, taken, and paid for the transmission of every such packet, an uniform rate of postage of 3*d.*, if the conveyance between the United Kingdom and *Belgium* be direct by packet boat or private ship, and of 4*d.* if the packets be sent in closed mails *viâ France*.

13. All packets consisting of printed newspapers, not exceeding 4 ounces in weight, posted in the United Kingdom and transmitted by the post, addressed to any *Foreign Country viâ Belgium*, or posted in any *Foreign Country* and transmitted by the post *viâ Belgium* addressed to the United Kingdom, whether conveyed between the United Kingdom and *Belgium* direct by packet boat or private ship, or sent in closed mails *viâ France* (newspapers forwarded in the closed mails between the United Kingdom and *Prussia* or *Holland* excepted), may be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter men-

tioned and contained relating thereto, and there shall be charged, taken, and paid, for the transmission of every such packet, an uniform British rate of postage of 1*d*.

14. All packets transmitted respectively under the 11th, 12th, and 13th clauses of this Warrant, hereinbefore respectively contained, shall, if exceeding the weight of 4 ounces respectively, be subject to the several further and additional and progressive rates of postage hereinafter mentioned, that is to say :

On every such packet so transmitted, if exceeding 4 ounces in weight and not exceeding one half of a pound in weight, 2 rates of postage ;

And on every such packet, if exceeding one half of a pound and not exceeding one pound in weight, 4 rates of postage ;

And on every such packet, if exceeding one pound and not exceeding one pound and one half of another pound in weight, 6 rates of postage ;

And on every such packet, if exceeding one pound and one half of another pound, and not exceeding two pounds in weight, 8 rates of postage ;

And for every additional half of a pound in weight of any such packet above the weight of two pounds, there shall be charged, taken, and paid 2 additional rates of postage ;

And in charging any additional rate of postage every fractional part of such additional half of a pound shall be charged as an additional half of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 4 ounces in weight.

15. As to all packets consisting of printed newspapers or other printed papers hereinbefore in the 11th, 12th, and 13th clauses of this Warrant, authorized to be sent by the post, which shall be posted in the United Kingdom addressed to *Belgium*, or posted in the United Kingdom addressed to any *Foreign Country viâ Belgium*, the postage thereof shall in every case be paid, not in money, but by being stamped with the proper postage stamp or stamps affixed thereto on the same being posted, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the value or amount of the postage duty payable thereupon under or by virtue of this Warrant, unless any such packet be sent from any department or office in or connected with the public service of Her Majesty, which shall have a postage account with the General Post Office in London, in which case the same shall be forwarded post paid, and the postage thereof shall be charged in such postage account. And as to every such packet posted in *Belgium*, addressed to the United Kingdom, it is intended that



the postage thereof shall in every case be duly and properly paid at the time of the same being posted. And if the postage of any such packet posted in the United Kingdom addressed to *Belgium*, or posted in the United Kingdom addressed to any *Foreign Country viâ Belgium*, shall not be duly and properly paid when posted, every such packet shall and may be detained and opened, and shall be returned or given up to the sender thereof; and on being so returned or given up shall, at the option of the Postmaster-General, be either free of postage or be charged with any rate he may think fit, not exceeding the postage to which it would have been liable as an unpaid letter, and such postage shall be paid by the sender; but if any such packet posted in the United Kingdom, addressed to *Belgium* or any *Foreign Country viâ Belgium*, or posted in *Belgium*, addressed to the United Kingdom, shall have thereon or affixed thereto a postage stamp or stamps, the value of which shall be less in amount than the rate of postage to which such packet would be liable under or by virtue of this Warrant, every such last-mentioned packet shall be forwarded charged with double the amount of the difference between the value of such stamp or stamps so being thereon or affixed thereto and the postage to which it would have been liable under the provisions of this Warrant if the postage had been fully paid in stamps when posted.

16. All packets consisting of printed newspapers or other printed papers, posted in *Belgium*, addressed to the United Kingdom, and transmitted by the post from any place in *Belgium* to any part of the United Kingdom, whether conveyed between *Belgium* and the United Kingdom direct by packet boat or private ship, or sent in closed mails *viâ France*, shall and may be so transmitted free from British postage.

17. All packets consisting of printed newspapers or other printed papers, not exceeding 2 ounces in weight, transmitted by the post from *Belgium* to any of the British Colonies through the United Kingdom, or from any of the British Colonies addressed to *Belgium* through the United Kingdom, the conveyance between *Belgium* and the United Kingdom being direct by packet boat or private ship, or sent in closed mails *viâ France*, may be so transmitted, in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto, and there shall be charged, taken, and paid, for the transmission of every such packet, an uniform rate of postage of 2*d.*

18. All packets transmitted under the 17th clause of this Warrant shall, if exceeding the weight of 2 ounces respectively, be subject to the several further and additional and progressive rates of postage hereinafter mentioned; that is to say:



On every such packet so transmitted, if exceeding 2 ounces in weight, and not exceeding 4 ounces in weight, there shall be charged, taken, and paid 2 rates of postage ;

And on every such packet, if exceeding 4 ounces, and not exceeding one half of a pound in weight, 4 rates of postage ;

And on every such packet, if exceeding one half of a pound, and not exceeding 1 pound in weight, 8 rates of postage ;

And for every additional half of a pound in weight of any such packet above the weight of 1 pound, there shall be charged, taken, and paid 4 additional rates of postage. And in charging any additional rate of postage, every fractional part of such additional half of a pound in weight shall be charged as an additional half of a pound in weight ; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 2 ounces in weight.

19. For the purposes of this Warrant, every printed newspaper transmitted by the post under the 11th and 13th clauses of this Warrant, shall be deemed and considered a packet, and shall be charged and chargeable with a separate and distinct single rate, or separate and distinct progressive and additional rates of postage, according to the weight thereof, as hereinbefore respectively mentioned ; notwithstanding two or more newspapers shall be enclosed and transmitted in one and the same cover, wrapper, envelope, or bundle, and form only one parcel or bundle of newspapers ; and every printed supplement or additional sheet to any newspaper shall, for the purpose of charging the postage under this Warrant, be deemed a distinct newspaper, unless sent in the same cover, or together with the newspaper to which it is a supplement or addition.

20. Every printed newspaper or other printed paper and packet of printed newspapers or other printed papers, which shall be transmitted by the post under the provisions of this Warrant, shall be so transmitted in conformity with, and under and subject to, the several orders, directions, regulations, and conditions following ; that is to say :—

Every British newspaper which shall be posted in the United Kingdom shall be printed and published at intervals not exceeding 31 days between any two consecutive numbers or parts of such publication, and the same shall be registered at the General Post Office in London, and shall be posted within 15 days from the date of its publication, and the title and date of the newspaper shall be printed at the top of every page thereof.

Every packet of printed newspapers, or other printed papers, shall be sent open at the ends or sides, and either without a cover or in a cover or envelope open at the ends or sides, and

there shall be no written letter, either closed or open, nor any written communication in the nature of a letter, either closed or open (whether such letter or communication be addressed to, or intended for, the person to whom the packet shall be directed or any other person), nor any enclosure sealed or otherwise closed against inspection; nor any other enclosure not authorized by this Warrant, sent in or with any such packet; nor shall there be any word or communication printed on the contents of any such packet after the publication thereof; nor any writing, figures, or marks upon any such contents, or the cover thereof, not authorized by this Warrant, except the name and address of the person to whom the same is sent; but the name or title of any newspaper, and the name and address of the publisher, newsvendor, or agent by whom the same is sent may be printed on the cover thereof; and any other packet of printed papers, other than newspapers, may have any matter or thing printed on the cover thereof.

No packet of printed newspapers, or other printed papers, shall be transmitted by the post, under the provisions of this Warrant, which shall exceed 2 feet in length, or 1 foot in depth or width.

Every newspaper and packet of printed newspapers, or other printed papers transmitted by the post under the provisions of this Warrant, and posted in the United Kingdom, shall be put into the Post Office at such hours in the day, and under all such regulations as the Postmaster-General may appoint.

21. If any newspaper or packet of printed newspapers, or other printed papers, transmitted by the post under the provisions of this Warrant be sent by the post otherwise than in conformity with the conditions and regulations established by or under the 20th clause of this Warrant, the same shall and may be detained and opened at any place in the United Kingdom, and at the option of the Postmaster-General shall be either returned or given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such newspaper or packet on being so returned, given up, or forwarded, shall be chargeable with any rates of postage the Postmaster-General may think fit, not exceeding the rates that would be chargeable on such newspaper or packet as an unpaid letter.

22. The rates of postage chargeable on letters, printed newspapers, and other printed papers, transmitted by the post under the provisions of this Warrant, shall be in lieu of any rates of postage now chargeable by law thereon.

23. The term "printed papers," when used in this Warrant, shall, for the purposes of transmission thereof by the post under

the provisions of this Warrant, mean, comprise, and include printed books, stitched or bound, or other printed publications, together with the binding of books, if sent with the books themselves, and blank leaves inserted in such books, and also printed proof sheets with ordinary corrections in manuscript, and having reference thereto, legal and other documents in manuscript, printed papers other than newspapers, whether British, *Colonial*, or *Foreign*, and whether printed, engraved, or lithographed, and such artistic productions as prints, printed maps (whether on paper, parchment, or vellum), and photographs and drawings (when not on glass or in frames containing glass), together with any binding, mounting, or covering of or upon or belonging to any such articles or production, or any portion thereof, and including also any cases or rollers of prints or maps, or anything usually appertaining to any such article or production, or necessary for its safe transmission, which shall be sent in the same packet with any such article or production to which they or it shall belong, but shall not comprise or include anything whether in print, writing, or otherwise in the nature of correspondence.

24. All packets consisting of patterns or samples of merchandize, posted in the United Kingdom addressed to *Belgium*, and transmitted by the post between any part of the United Kingdom and any place in *Belgium*, and all packets consisting of patterns or samples of merchandize, posted in *Belgium* addressed to the United Kingdom, and transmitted by the post from any place in *Belgium* to any part of the United Kingdom, and all packets consisting of patterns or samples of merchandize transmitted by the post from *Belgium* to any of the British Colonies, through the United Kingdom, may be so transmitted under the authority of this Warrant, in like manner, and at the several rates of postage or otherwise free from British postage, as packets consisting of printed papers may be transmitted by the post between the same places and Colonies respectively, under or by virtue of this Warrant; nevertheless, the packets consisting of patterns or samples of merchandize shall be so transmitted in conformity with, and under and subject to, the several orders, directions, regulations, conditions, and restrictions hereinafter respectively mentioned and contained concerning or relating to the same; that is to say:—

25. No such packet shall be transmitted by the post under the authority of this Warrant, which shall exceed 8 ounces in weight, or which in length shall exceed 2 feet, or in width or depth 1 foot.

26. There shall be no enclosure sealed or otherwise closed against inspection and examination, nor any other enclosure, not authorized by this Warrant, sent in or with any such packet.



27. Every such packet shall be prepaid by being duly and properly stamped with the proper postage stamp or stamps affixed thereto at the time of the same being posted, which stamp or stamps shall be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the amount or value of the postage duty payable thereon under or by virtue of this Warrant.

28. No such pattern or sample of merchandize shall be of any intrinsic value, and no article so transmitted shall be of a saleable nature, or such as has any mercantile value, either by reason of its quality or its quantity, or of which any use might be made otherwise than as a pattern or sample of merchandize.

29. There shall be no writing or printing upon any such packet or the cover thereof, or contained therein, except the address of the person for whom it is intended, the address on the sender thereof, and a manufacturer's or trade mark, and number and price of the pattern or sample; and every such manufacturer's or trade mark, number, and price, shall be written or printed on labels attached to such patterns or samples, or to the bags or boxes containing the same, and not on loose pieces of paper or other material, and there shall be no other writing, printing, or mark whatsoever, except such manufacturers' or trade mark, number, and price as aforesaid contained therein.

30. All such packets shall be sent in covers open at the ends, so as to be easy of examination, nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in boxes or in bags of linen, paper, or other material, which shall be tied with a string, or otherwise fastened in such a manner that they may be readily opened; and closed bags, if transparent, may be used for this purpose.

31. No article which might injure the contents of the mail bags, or the persons of the officers of the Post Office, shall be transmitted by the post under the authority of this Warrant; nevertheless any packet containing any razor, scissors, knife, fork, or other sharp or pointed instrument, shall and may be transmitted by the post, under the authority of this Warrant, subject to the several rates of postage, and to the several orders, directions, regulations, and restrictions herein mentioned and contained relating thereto, provided that every such article or instrument so contained in any such packet shall be securely packed and guarded; and every such packet shall not only conform in every respect to the several orders, directions, regulations, and restrictions herein contained, but the same shall also furnish sufficient protection against injury to the officers of the Post Office, and to the contents of the mail



bags, while, at the same time, the patterns or samples may be easily examined.

32. If any packet of patterns or samples of merchandize sent, or tendered, or delivered in order to be sent by the post, under the provisions of this Warrant, shall be posted having thereon or affixed thereto a postage stamp or stamps, the value of which shall be less in amount than the rate of postage to which such packet would be liable under or by virtue of this Warrant, every such last-mentioned packet shall be forwarded charged with double the amount of the difference between the value of such stamp or stamps so being thereon or affixed thereto, and the postage to which such packet would be liable as aforesaid.

33. No packet consisting of patterns or samples of merchandize shall be forwarded by the post under the provisions of this Warrant, in respect of which the several orders, directions, regulations, restrictions, and conditions hereinbefore in the several clauses of this Warrant, respectively contained relating to the same, shall not be complied with in all respects, except only such packets as are in the last preceding clause mentioned and referred to.

34. In order to prevent any obstacle to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be despatched in due course of the post, or (at his option) until the despatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

35. In all cases in which any question shall hereafter arise whether any packet transmitted under or by virtue of this Warrant is entitled to the privileges of this Warrant and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive on all parties.

36. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said recited Act, passed in the 4th year of the reign of Her Majesty, cap. 96.

37. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, or conditions in lieu thereof, and may from time to time ap-

point at what time the rates which may be payable are to be paid.

38. This Warrant shall come into operation on the 1st day of August, 1865.

Whitehall, Treasury Chambers, the 22nd day of July, 1865.

LUKE WHITE. E. H. KNATCHBULL-HUGESSEN.

**DECLARATION** *recording the Results of the Experiments in Sugar Refining, undertaken at Cologne in pursuance of Article II of the Convention of November 8, 1864,\* between Great Britain, Belgium, France, and the Netherlands. Signed at Paris, November 20, 1866.*

Les Gouvernements de Grande Bretagne, de Belgique, de France, et des Pays-Bas, ayant délégué des Commissaires pour constater les résultats des expériences de raffinage prescrites par l'Article II de la Convention du 8 Novembre, 1864, sur le régime des sucres, et ces Commissaires ayant établi, dans une Conférence tenue à Bruxelles, le 20 Septembre de la présente année, le taux des rendements afférents aux diverses catégories de sucres bruts, les Soussignés, dûment autorisés à cet effet, ont, en exécution de l'Article III de la dite Convention, et après avoir pris connaissance du procès-verbal de la Conférence susmentionnée, arrêté les dispositions suivantes :

ART. I. Le minimum du rendement des sucres au raffinage est fixé ainsi qu'il suit, par 100 kilogrammes de sucre brut :

Numéros de la Série des types Hollandais.	Sucres raffinés en pains.
	Kilog.
18 } 17 } 16 } 15 } 14 } 13 } 12 } 11 } 10 } 9 } 8 } 7 }	94
	88
	80
Au-dessous 7	67

II. Le présent arrangement, valable pour toute la durée de la Convention du 8 Novembre, 1864, sera exécutoire à partir du 1er Mai, 1867. L'exécution en est subordonnée, en tant que de besoin, à l'accomplissement des formalités et règles établies par

\* See page 199.

les lois constitutionnelles de ceux des Etats Contractants qui sont tenus d'en provoquer l'application.

En foi de quoi, les Soussignés ont dressé la présente Déclaration, qu'ils ont revêtue du cachet de leurs armes.

Fait à Paris, le 20 Novembre, 1866.

(L.S.) COWLEY.	(L.S.) BOX. EUG. BEYENS.
(L.S.) MOUSTIER.	(L.S.) LIGHTENVELT.

## BOLIVIA, &c.

**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Newspapers transmitted viâ France to or from Malta or Egypt, or any British Colony or Foreign Country beyond the Seas (except any Colony or Country to the eastward of Suez); and on Newspapers to and from Bolivia, Ecuador, Peru, or Chile viâ Panama; and on Books, &c., transmitted viâ France to or from Malta or Egypt, or any British Colony or Foreign Country westward of Suez; and also on Books, &c., to or from China, direct, or in closed Mails, viâ France. March 11, 1865.\**

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the regulation of the Duties of Postage,"† certain scales of weight and rates of postage were fixed and made chargeable and payable, upon, for, or in respect of letters, newspapers, Parliamentary proceedings, and printed papers, transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post.

And whereas by the said Act powers were given to the Commissioners of Her Majesty's Treasury, from time to time, and at any time thereafter, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage, payable by law on the transmission by the post of *Foreign or Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any of such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid, and the

\* Amended by Warrant April 28, 1866.

† See Vol. 5. Page 248.

power thereby given to alter and fix rates of postage is extended to any increase or reduction or remission of postage.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury, by an Act of Parliament passed in the 11th year of the reign of Her Majesty, intituled "An Act for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office."\*

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament, passed in the 18th year of the reign of Her present Majesty, intituled "An Act to amend the laws relating to the stamp duties on newspapers, and to provide for the transmission by post of printed periodical publications."†

And whereas it is expedient that printed newspapers and packets consisting of books, publications, or works of literature or art, and other printed papers, should be transmitted by the post between the United Kingdom and the several places hereinafter mentioned, and for that purpose that certain rates of postage should be fixed, and certain regulations made, in the manner hereinafter mentioned.

Now, we, the Commissioners of Her Majesty's Treasury, in exercise of the powers or authority in us for that purpose vested in and by the said hereinbefore recited Acts of Parliament, or either of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners (by the authority of the statute in that case made and provided), order, direct, and declare as follows:

1. On every packet consisting of a printed British newspaper, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to *Malta* or *Egypt*, and on every packet consisting of a printed British, *Colonial*, or *Foreign* newspaper, not exceeding 4 ounces in weight, posted in *Malta* or *Egypt*, addressed to the United Kingdom, and respectively transmitted by the post from the United Kingdom to *Malta* or *Egypt*, and from *Malta* or *Egypt* to the United Kingdom, in the closed mail, viâ *Marseilles*, and by British packet boat, there shall be charged, taken, and paid a combined British and *Foreign* rate of postage of 2*d*.

2. On every packet consisting of a printed British newspaper, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to *Malta*, or to any other British *Colony* (except any British *Colony* to the eastward of *Suez*), and on every packet consisting of a printed British, *Colonial*, or *Foreign* newspaper, not exceeding 4 ounces in weight, posted in *Malta*, or in any other British *Colony* (except any British *Colony* to the

\* See Vol. 8. Page 247.

† See Vol. 10. Page 320.



eastward of *Suez*), addressed to the United Kingdom, and respectively transmitted by the post from the United Kingdom to *Malta*, or any other British *Colony* (except any British *Colony* to the eastward of *Suez*), and from *Malta*, or any other British *Colony* (except any British *Colony* to the eastward of *Suez*), to the United Kingdom, *viâ France*, and by French packet boat, there shall be charged, taken, and paid a combined British and *Foreign* rate of postage of 2*d*.

3. On every packet consisting of a printed British newspaper, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to any *Foreign* port beyond the seas (except any *Foreign* port to the eastward of *Suez*), and transmitted by the post from the United Kingdom to any such *Foreign* port, *viâ France*, and by *French* packet-boat, there shall be charged, taken, and paid a combined British and *Foreign* rate of postage of 2*d*.

4. On every packet consisting of a printed British newspaper, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to any place in the Republics of *Bolivia*, *Ecuador*, *Peru*, or *Chili*, and on every packet consisting of a printed British, *Colonial*, or *Foreign* newspaper, not exceeding 4 ounces in weight, posted in any place in the Republics of *Bolivia*, *Ecuador*, *Peru*, or *Chili*, addressed to the United Kingdom, and respectively transmitted by the post from the United Kingdom to any place in the Republics of *Bolivia*, *Ecuador*, *Peru*, or *Chili*, and from any place in the Republics of *Bolivia*, *Ecuador*, *Peru*, or *Chili*, to the United Kingdom by British packet-boat, *viâ Panama*, there shall be charged, taken, and paid an uniform rate of postage (which shall include the cost of transmission over the *Isthmus of Darien*) of 3*d*.

5. On every packet consisting of books, publications, or works of literature or art, whether British, *Colonial*, or *Foreign*, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to *Malta*, *Alexandria*, *Cairo*, or *Suez*, or posted in *Malta*, *Alexandria*, *Cairo*, or *Suez*, addressed to the United Kingdom, and transmitted by the post between the United Kingdom and *Malta*, *Alexandria*, *Cairo*, or *Suez*, in the closed mail, *viâ Marseilles*, and by British packet-boat, there shall be charged, taken, and paid a combined British and *Foreign* rate of postage of 4*d*.

6. On every packet consisting of books, publications, or works of literature or art, whether British, *Colonial*, or *Foreign*, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to *Malta* or to any other British colony (except any British colony to the eastward of *Suez*), or posted in *Malta* or in any other British colony (except any British colony to the eastward of *Suez*), addressed to the United Kingdom, and transmitted by the post between the United Kingdom and *Malta* or

any other British colony (except any British colony to the eastward of *Suez*), *viâ France*, and by *French* packet-boat, there shall be charged, taken, and paid a combined British and *Foreign* rate of postage of 4*d*.

7. On every packet consisting of printed papers, other than newspapers not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to any *Foreign* port beyond the seas (except any *Foreign* port to the eastward of *Suez*), and transmitted by the post from the United Kingdom to any such *Foreign* port, *viâ France*, and by *French* packet-boat, there shall be charged, taken, and paid a combined British and *Foreign* rate of postage of 4*d*.

8. On every packet consisting of books, publications, or works of literature or art, whether British, *Colonial*, or *Foreign*, posted in any part of the United Kingdom, addressed to *Shanghai*, or any other port in *China* at which the British mail packet-boat calls, or posted in *Shanghai*, or any other port in *China* at which the British mail packet-boat calls, addressed to any part of the United Kingdom, and transmitted by the post between the United Kingdom and *Shanghai*, or other ports in *China* at which the British mail packet-boat calls, there shall be charged, taken, and paid the rates of postage following; that is to say:

On every such packet not exceeding 4 ounces in weight so transmitted, direct *viâ Egypt* (the sea conveyance being by British packet-boat), an uniform single rate of postage of 4*d*.

On every such packet not exceeding 4 ounces in weight so transmitted, in the closed mail *viâ Marseilles* (the sea conveyance being by British packet-boat), an uniform single rate of postage of 6*d*.

9. All such respective packets as hereinbefore in this Warrant mentioned, if exceeding 4 ounces in weight, shall be subject to the several progressive and additional rates of postage hereinafter-mentioned and set forth (that is to say):

On every such packet, if exceeding 4 ounces and not exceeding  $\frac{1}{2}$  of a pound in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound, and not exceeding 1 pound in weight, 4 rates of postage;

And on every such packet, if exceeding 1 pound and not exceeding  $1\frac{1}{2}$  pound in weight, 6 rates of postage;

And on every such packet, if exceeding  $1\frac{1}{2}$  pound, and not exceeding 2 pounds in weight, 8 rates of postage;

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet, above the weight of 2 pounds, there shall be charged, taken, and paid two additional rates of postage, and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight, and each pro-

gressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

10. For the purposes of this Warrant every printed newspaper transmitted under the first, second, third, and fourth clauses of this Warrant, shall be deemed and considered a packet, and shall be charged and chargeable with a separate and distinct single rate, or separate and distinct progressive and additional rates of postage according to the weight thereof, as hereinbefore-mentioned, notwithstanding two or more newspapers shall be enclosed and transmitted in one and the same cover, wrapper, envelope, or bundle, and form only one parcel or bundle of newspapers, and every printed supplement or additional sheet to any newspaper shall, for the purpose of charging the postage under this Warrant, be deemed a distinct newspaper, unless sent in the same cover, or together with the newspaper to which it is a supplement or addition.

11. Every packet transmitted under the first, second, third, and fourth clauses of this Warrant, shall be subject to the several regulations, orders, directions, and conditions hereinafter contained (that is to say):

Every British newspaper which shall be posted in the United Kingdom shall be printed and published at intervals not exceeding 31 days between any two consecutive numbers or parts of such publication, and the same shall be registered by the proprietor or printer thereof at the General Post Office, in London, and shall be posted within 15 days from the date of its publication, and the title and date of the newspaper shall be printed at the top of every page thereof.

12. Every packet transmitted under the provisions of this Warrant shall be subject to the several regulations, orders, directions, and conditions hereinafter contained (that is to say):

No such packet which in length, or breadth, or depth, shall exceed the dimensions of 2 feet, shall be forwarded under the provisions aforesaid.

Every packet transmitted under the authority of this Warrant shall be sent open at the ends or sides, and either without a cover, or in a cover or envelope open at the ends or sides, and there shall be no written letter, either closed or open, nor any written communication in the nature of a letter, either closed or open (whether such letter or communication be addressed to or intended for the person to whom the packet shall be directed, or any other person), nor any enclosure, sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in, or with any such packet, nor in the case of packets transmitted under the



authority of the first, second, third, fourth, and seventh clauses of this Warrant, shall there be any writing, figures, or manual marks whatsoever, of any description, upon any such packet, or on the cover or envelope thereof, not authorized by this Warrant, nor in the case of packets transmitted under the authority of the fifth, sixth, and eight clauses of this Warrant, shall there be any written letter or any written communication in the nature of a letter in or upon any such packet, or on the cover or envelope thereof, except the name and address of the person to whom the same is sent; but the name or title of any newspaper, and the name and address of the publisher, newsvendor, or agent by whom the same is sent, may be printed on the cover thereof, and any other packet, not being a newspaper, may have any matter or thing printed on the cover thereof.

Every packet transmitted under the provisions of this Warrant, and posted in the United Kingdom, shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

13. Upon every packet posted in the United Kingdom for transmission under the authority of this Warrant the postage thereof shall be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon, under or by virtue of this Warrant, unless any such packet be sent from any department or office in or connected with the public service of Her Majesty, which shall keep a postage account with the General Post Office in London, in which case the same shall be forwarded post paid, and the postage thereof shall be charged in such postage account.

14. Upon every packet posted in *Malta*, *Alexandria*, *Cairo*, or *Suez*, for transmission under the authority of the fifth clause of this Warrant, and upon every packet posted in *Malta*, or in any other British *Colony* (except any British *Colony* to the eastward of *Suez*), for transmission under the authority of the sixth clause of this Warrant, the postage thereof shall be paid at the time of the same being posted either in money or by being stamped with the proper postage stamp or stamps being affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon, under, or by virtue of this Warrant.

15. If any packet, sent, or tendered, or delivered, in order to be sent under the provisions of this Warrant, shall be sent otherwise than in conformity with the several regulations,



orders, directions, and conditions hereinbefore contained, every such packet shall and may (except in the cases provided for by the clauses next hereinafter contained, and numbered 16, 17, 18, 19, and 20,) be detained and opened, and at the option of the Postmaster-General be either returned or given up to the sender thereof, or be given up to the person to whom it shall be addressed, or be forwarded to the place of its destination; and every such packet on being so returned, given up, or forwarded, shall, at the option of the Postmaster-General, be either free of postage or be charged with any rate of postage he may think fit, not exceeding the postage to which it would have been liable as a letter, and such postage shall be either paid by the sender or be charged to the person to whom the packet shall be forwarded.

16. If any packet sent, or tendered, or delivered, in order to be sent under the provisions of this Warrant, shall contain any written letter, or any written communication in the nature of a letter, whether closed or open, or any enclosure sealed or otherwise closed against inspection, or any other enclosure not authorized by this Warrant, every such letter or communication or enclosure may be taken out by any officer of the Post Office, and, at the option of the Postmaster-General, shall be either returned or given up to the sender thereof, or be forwarded to the address on the packet, charged in either case not only with the full rates of postage as an unpaid letter, but also in the case of packets transmitted under the provisions of the first, second, third, and fourth clauses of this Warrant, with a further and additional rate of postage of 1*d.*, and in the case of packets transmitted under the provisions of the fifth, sixth, and seventh clauses of this Warrant, with a further and additional rate of postage of 3*d.* and in the case of packets transmitted under the provisions of the eighth clause of this Warrant, with a further and additional rate of postage of 4*d.* and the remainder of the packet, if the postage be duly paid when posted, may be forwarded to the place of its address without any extra charge.

17. If any packet sent, or tendered, or delivered in order to be sent, under the authority of the first, second, third, fourth, seventh, and eighth clauses of this Warrant, shall be posted in the United Kingdom without the postage payable thereon being paid at the time of the same being posted by means of the proper postage stamp or stamps being affixed thereto, every such respective packet shall be detained and opened, and returned to the sender thereof.

18. If any packet sent, or tendered, or delivered in order to be sent, under the authority of the fifth and sixth clauses of this Warrant, shall be posted in the United Kingdom without having thereon, or affixed thereto, any postage stamp or stamps,

or having thereon, or affixed thereto, a stamp or stamps, the value of which shall be less in amount than the single rate of postage to which such packet would be liable under this Warrant, every such respective packet shall be detained and opened, and returned or given up to the sender thereof.

19. If any packet, sent, or tendered, or delivered in order to be sent, under the authority of the fifth and sixth clauses of this Warrant, shall be posted in *Malta, Alexandria, Cairo, or Suez*, or in any British *Colony* (except any British *Colony* to the eastward of *Suez*), without any postage having been paid thereon, either in money or in postage stamps, or with a postage paid thereon, either in money or in postage stamps, less in amount than the single rate of postage to which such packet would be liable under this Warrant, every such respective packet shall be forwarded charged with the full rates of postage as an unpaid letter.

20. If any packet sent, or tendered, or delivered in order to be sent, under the authority of the fifth and sixth clauses of this Warrant, shall be posted in the United Kingdom, having thereon or affixed thereto, a stamp or stamps, the value of which shall be less in amount than the rate of postage to which such packet would be liable under this Warrant, but equal in amount to the single rate of postage payable thereon, or shall be posted in *Malta, Alexandria, Cairo, or Suez*, or in any British *Colony* (except any British *Colony* to the eastward of *Suez*), and the postage paid thereon, either in money or in postage stamps, shall be less in amount than the rate of postage to which such packet would be liable under this Warrant, but equal in amount to the single rate of postage payable thereon, every such respective packet shall be forwarded charged with the amount of the difference between the postage so paid thereon and the postage to which such packet would be liable as aforesaid, together with the further and additional rate of postage of 3*d.*

21. The rates of postage chargeable on printed newspapers, and on packets consisting of books, publications, or works of literature or art, and other printed papers, transmitted by the post under the provisions of this Warrant, shall be in lieu of any rates now chargeable by law thereon.

22. In order to prevent any obstacle to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted, or forwarded by the post, under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be despatched in due course of the post, or (at his option) until the despatch of the mail next after that by which the same ought, in due course of the post, to be forwarded by him.

23. The term "British Newspaper," used in this Warrant, shall be construed to mean newspapers printed in the United Kingdom, whether they bear a newspaper stamp or not; and the terms "books, publications, or works of literature or art," used in this Warrant, shall, for the purposes of this Warrant, mean and comprise all such articles as in their general character are either literary, or consist of printed, written, engraved, or lithographed matter (although not strictly literary), including books (whether printed, written, or plain), publications or compilations (whether in print or in manuscript), almanacks, printed or lithographed letters, and such artistic productions as prints, maps (whether on paper, or canvas, or cloth, and whether printed or written), and photographs, when not on glass or in frames containing glass, and any description of paper, parchment, or vellum (whether printed, lithographed, written upon, or plain, or any mixture of the four), together with any binding, mounting, or covering, of or upon or belonging to any such article or production, or any portion thereof, or of or belonging to any paper, parchment, or vellum, and including also any cases or rollers of prints or maps, bookmarkers (whether of paper or otherwise), pencils, pens, or other things usually appertaining to any such article or production, paper, parchment, or vellum, or necessary for its safe transmission, which shall be sent in the same packet with any such article or production to which they or it shall belong. And all letters, notices, and other communications (whether upon paper, parchment, or vellum), partly printed, or partly lithographed, and partly written, which, if wholly written, would not be considered letters or communications in the nature of letters: provided, nevertheless, that nothing herein contained shall extend to authorize the sending by the post, under the provisions of this Warrant, of any letter, notice, or other communication (whether upon paper, parchment, or vellum), partly printed, or partly lithographed and partly written, which, if wholly written, would be considered a letter or communication in the nature of a letter, nor of any packet consisting of or containing any photographs, drawings, prints, or other contents which may be obviously of an obscene character, nor of any packet comprising prints or printed matter, unless such prints or printed matter shall consist only of prints or printed matter on paper, parchment, or vellum; and the term "printed papers," used in this Warrant, shall mean and include books (stitched or bound), pamphlets, parliamentary proceedings, proceedings of the *Colonial* Legislatures, periodical works, prices current, commercial lists, courses of exchange, sheets of music, prints, or printed or engraved maps, catalogues, prospectuses, announcements, and notices of every kind, whether British, *Colonial*, or *Foreign*, and whether printed, engraved, or lithographed; and the



several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the fourth year of the reign of Her present Majesty.

24. In all cases in which any question shall hereafter arise, whether any article, matter, or thing, transmitted under the provisions of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted, within the intent and meaning of this Warrant, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final.

25. So much of a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 20th day of December, 1856,\* and so much of the Schedule F thereto, as relates to or affects British newspapers posted in the United Kingdom, addressed to *Malta*, or *Egypt*, transmitted by the closed mail *viâ Marseilles*, and as relates to or affects *Foreign* and *Colonial* newspapers posted in *Malta* or *Egypt*, addressed to the United Kingdom, transmitted by the closed mail *viâ Marseilles*, shall be, and the same is, hereby repealed.

26. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, or the hands of any two of them, at any time hereafter alter, repeal, or revoke any of the rates of postage hereby fixed or altered, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which may be payable are to be paid.

27. This Warrant shall come into operation on the 1st day of April, 1865.

Whitehall, Treasury Chambers, the 11th day of March, 1865.

WM. DUNBAR.

E. H. KNATCHBULL-HUGESSEN.

**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Packets of Printed Papers (except British Newspapers), Patterns or Samples of Merchandize, of no intrinsic value, transmitted between the Isthmus of Panama and Ports on the West Coast of South America (Columbia, Equator, Bolivia, Chili, and Peru).* June 4, 1866.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, cap. 96,† for the regulation of the duties of postage, certain scales of weight and rates of postage

\* See Vol. 10. Page 136. † See Vol. 5. Page 248.



were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, Parliamentary proceedings, and printed papers transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post, and by the same Act powers were given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament, passed in the 11th year of the reign of Her Majesty, chap. 85,\* for giving further facilities for the transmission of letters by post and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient to make regulations for the transmission by the post between the *Isthmus of Panama* and ports on the West Coast of *South America* of certain packets in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts of Parliament, and each of them, and of all other powers enabling us in this behalf, do by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows, that is to say:

1. All packets consisting of printed papers (other than British newspapers) or consisting of patterns or samples of merchandize of no intrinsic value posted in *Panama* addressed to any other port in the *United States of Columbia* or to any port in *Ecuador*, *Bolivia*, *Chili*, or *Peru*, may be transmitted by the post from *Panama* to any other port in the *United States of Columbia* or to any port in *Ecuador*, *Bolivia*, *Chili*, or *Peru*, by British packet-boat, subject to the several rates of postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid an uniform single rate of postage of 3d.;

And on every such packet, if exceeding 4 ounces in weight, there shall be charged, taken, and paid progressive and additional rates of postage as follows; that is to say:

On every such packet, if exceeding 4 ounces and not exceeding one half of a pound in weight, there shall be charged, taken, and paid two rates of postage;

And on every such packet, if exceeding one half of a pound and not exceeding one pound in weight, there shall be charged, taken, and paid 4 rates of postage;

And for every additional half of a pound in weight of any

\* See Vol. 8. Page 247.

such packet above the weight of one pound, there shall be charged, taken, and paid two additional rates of postage; and every fractional part of such additional half of a pound in weight shall be charged as an additional half of a pound in weight; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

2. Every packet consisting of printed papers (other than British newspapers) which shall be transmitted by the post under the authority of this Warrant, shall be sent without a cover, or in a cover open at the ends or sides, and it may contain any number of separate books or other publications, prints or maps, and any quantity of paper, parchment, or vellum; and the books or other publications, prints, or maps may be either printed, written, or plain, or any mixture of the three, and all legitimate binding, mounting, or covering of a book, publication, print, or map, or of a portion thereof, shall be allowed to pass by the post, whether such binding, mounting, or covering be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise) in the case of books, and whatsoever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto; but no packet shall contain any written letter, nor any communication in the nature of a letter, closed or open, nor any enclosure sealed or otherwise enclosed against inspection, nor any communication in the nature of a letter written in or upon any such packet or the cover thereof, nor shall any packet consist of or contain any photographs, drawings, prints, or other contents which may be obviously of an obscene character.

3. Every packet consisting of patterns or samples of merchandize which shall be transmitted by the post under the authority of this Warrant, shall be so transmitted in conformity with, and under, and subject to the several regulations and conditions hereinafter contained; that is to say:

No pattern or sample being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

There shall be no enclosure sealed or otherwise closed against inspection, nor any other enclosure, not authorized by this Warrant, sent in or with any such packet.

There shall be no writing in or upon any such packet or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices.

And such packets shall be sent in covers open at the ends,

so as to be easy of examination; nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in bags of linen, paper, or other material, tied at the neck; but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

4. No packet which shall exceed two feet (British) in length or one foot (British) in breadth or depth shall be transmitted by the post under the provisions of this Warrant, unless under the special authority of the Postmaster-General.

5. Every packet transmitted by the post under this Warrant shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

6. The postage of all such packets as aforesaid shall, in every case, be paid at the time of the same being posted.

7. If any packet shall be posted, or shall be transmitted by the post, under the provisions of this Warrant, otherwise than in conformity with the several conditions and regulations established by or under the authority of this Warrant relating thereto, the same shall and may be detained and opened, and shall be returned or given up to the sender thereof.

8. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, whenever it may be necessary so to do, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

9. In all cases in which any question shall hereafter arise, whether any packet or anything contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

10. The term "weight," used in this Warrant, shall mean British weight, and the several other terms and expressions used in this Warrant shall be construed to have the like meaning, in all respects, as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty, cap. 96.

11. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby



made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

12. This Warrant shall come into operation on the 1st day of July, 1866.

Whitehall, Treasury Chambers, the 4th day of June, 1866.

W. P. ADAM. LUKE WHITE.

**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Printed Papers (except British newspapers), Patterns, and Samples of Merchandize, of no intrinsic value, transmitted to and from Equator, Bolivia, Chili, Peru, and Central America, viâ Panama, or between the British West Indies, (Antigua, Bahamas, Barbadoes, Bermuda, Berbice, Carriacou, Demerara, Dominica, Grenada, Honduras, Jamaica, Montserrat, Nevis, St. Kitt's, St. Lucia, St. Vincent, Tobago, Tortola, Trinidad, and Turks Islands,) and Foreign West Indies, (St. Thomas, St. Croix, St. Martin's, Martinique, Guadaloupe, Curaçoa, St. Eustatius, Mosquito Territory, Cuba, Porto Rico, and Mexico,) and Columbia, Equator, Bolivia, Chili, and Peru, viâ Panama; or between the British and Foreign West Indies and Central America, Australia, or New Zealand.* September 18, 1866.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, parliamentary proceedings, and printed papers transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post, and by the same Act powers were given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act of Parliament passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient that regulations should be made for the transmission by the post of certain packets from the United Kingdom and the British and *Foreign West Indies* to certain other places in the manner hereinafter mentioned and contained.

Now, we, the Commissioners of Her Majesty's Treasury in exercise of the powers reserved to us in and by the said two

\* See Vol. 5 Page 248.

† See Vol. 8. Page 347.



before-mentioned Acts, or either of them, and of all other powers enabling us in this behalf, do, by this Warrant under the hands of two of us the said Commissioners (by the authority of the statute in that case made and provided) order, direct, and declare as follows; that is to say:

1. All packets consisting of printed papers (other than British newspapers), or consisting of patterns or samples of merchandize, of no intrinsic value, respectively, posted in the United Kingdom addressed to any port in *Ecuador, Bolivia, Chili, Peru, or Central America*, respectively, may be transmitted by the post from the United Kingdom to any port in *Ecuador, Bolivia, Chili, Peru, or Central America*, respectively, *viâ Panama*, subject to the several rates of postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid an uniform British rate of postage of 6*d.*;

And on every such packet, if exceeding 4 ounces and not exceeding 8 ounces in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such packet, if exceeding 8 ounces and not exceeding 12 ounces in weight, there shall be charged, taken, and paid 3 rates of postage;

And on every such packet, if exceeding 12 ounces and not exceeding 16 ounces in weight, there shall be charged, taken, and paid 4 rates of postage;

And for every additional 4 ounces in weight of any such packet above the weight of 16 ounces, there shall be charged, taken, and paid 1 additional rate of postage; and in charging any additional rate of postage, every fractional part of such additional 4 ounces shall be charged as an additional 4 ounces in weight; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

2. All packets consisting of printed papers (other than British newspapers), or consisting of patterns or samples of merchandize, of no intrinsic value, respectively posted in the British or *Foreign West Indies*, addressed to any port in the *United States of Columbia, Ecuador, Bolivia, Chili, or Peru*, may be transmitted by the post from the British or *Foreign West Indies* to and port in the *United States of Columbia, Ecuador, Bolivia, Chili, or Peru, viâ Panama* (the sea conveyance being by British packet-boat), subject to the several rates of postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid an uniform British rate of postage of 3*d.*

And on every such packet, if exceeding 4 ounces in weight, there shall be charged, taken, and paid for such transmission thereof respectively as aforesaid, the several further and additional and progressive rates of postage hereinafter mentioned.

3. All packets consisting of printed papers (other than British newspapers), or consisting of patterns or samples of merchandize of no intrinsic value, posted in the British or *Foreign West Indies*, addressed to any port in *Central America*, or to any port in *Australia* or *New Zealand* respectively, may be transmitted by British packet-boat from the British or *Foreign West Indies*, to any port in the *United States of Columbia*, for transmission thence to *Central America*, *Australia*, or *New Zealand*, subject for such transmission thereof respectively to any port in the *United States of Columbia*, to the several rates of postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid an uniform British rate of postage of 3*d.*;

And on every such packet, if exceeding 4 ounces in weight, there shall be charged, taken, and paid, for such transmission thereof as aforesaid, the several further and additional and progressive rates of postage hereinafter mentioned.

4. All packets transmitted respectively under the authority of the 2nd and 3rd clauses of this Warrant, shall, if exceeding the weight of 4 ounces respectively, be subject to the several further and additional and progressive rates of postage hereinafter mentioned; that is to say:

On every such packet, if exceeding 4 ounces and not exceeding one-half of a pound in weight, there shall be charged, taken, and paid two rates of postage;

And on every such packet, if exceeding one-half of a pound, and not exceeding one pound in weight, there shall be charged, taken, and paid 4 rates of postage.

And for every additional half of a pound in weight of any such packet above the weight of one pound there shall be charged, taken, and paid two additional rates of postage, and in charging any additional rates of postage every fractional part of such additional half of a pound in weight shall be charged as an additional half of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 4 ounces in weight.

5. Every packet consisting of printed papers (other than British newspapers), which shall be transmitted by the post under the authority of this Warrant, shall be sent without a cover, or in a cover open at the ends or sides, and it may contain any number of separate books, or other publications, prints,

or maps, and any quantity of paper, parchment, or vellum, and the books or other publications, prints, or maps, may be either printed, written, or plain, or any mixture of the three; and all legitimate binding, mounting, or covering of a book, publication, print, or map, or of a portion thereof, shall be allowed to pass by the post, whether such binding, mounting, or covering be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise), in the case of books, and whatsoever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto; but no packet shall contain any written letter, nor any communication in the nature of a letter, closed or open, nor any enclosure sealed or otherwise closed against inspection, nor any communication in the nature of a letter written in or upon any such packet or the cover thereof, nor shall any packet consist of or contain any photographs, drawings, prints, or other contents which may be obviously of an obscene character.

6. Every packet consisting of patterns, or samples of merchandize, which shall be transmitted by the post under the provisions of this Warrant, shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions following, that is to say:

There shall be no enclosure sealed or otherwise closed against inspection and examination, nor any other enclosure not authorized by this Warrant sent in or with any such packet.

No pattern or sample being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

There shall be no writing or printing in or upon any such packet or on the cover thereof, except the address for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices.

All such packets shall be sent in covers open at the ends, so as to be easy of examination; nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in bags of linen, paper, or other material, tied at the neck; but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for this purpose.

7. No packet which shall exceed two feet in length, or one foot in breadth or depth, shall be transmitted by the post under the provisions of this Warrant, unless under the special authority of the Postmaster-General.

8. Every packet transmitted by the post under this Warrant shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.



9. The postage of all such packets authorized to be transmitted by the post under the provisions of this Warrant shall in every case be paid at the time of the same being posted.

10. If any packet shall be posted, or shall be transmitted by the post, under the provisions of this Warrant, otherwise than in conformity with the conditions and regulations applicable thereto, established by or under this Warrant, the same shall and may be detained and opened, and shall be returned or given up to the sender thereof.

11. In order to prevent any obstacle to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted, or forwarded by the post under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, or (at his option) until the despatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

12. In all cases in which any question shall hereafter arise whether any packet, or anything contained therein, transmitted under or by virtue of this Warrant is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive on all parties.

13. The term "*British West Indies*," under this Warrant, shall be construed to mean and include the following *Colonies* and places and their respective dependencies; that is to say: *Antigua, Bahamas, Barbadoes, Bermuda, Berbice, Carriacou, Demerara, Dominica, Grenada, Honduras, Jamaica, Montserrat, Nevis, Saint Kitt's, Saint Lucia, Saint Vincent, Tobago, Tortola, Trinidad, and Turks' Islands*; the term "*Foreign West Indies*," used in this Warrant, shall be construed to mean and include the following *Islands* and places; that is to say: *Saint Thomas, Saint Croix, Saint Martin's, Martinique, Guadaloupe, Curaçoa, Saint Eustatius*, the *Mosquito* territory, *Cuba, Porto Rico, and Mexico*; and the several other terms and expressions used in this Warrant shall be construed to have the like meaning, in all respects as they would have had if inserted in the said recited Act, passed in the 4th year of the reign of Her Majesty, chapter 96.

14. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, or conditions in lieu thereof, and may from time to time appoint at what time the rates which may be payable are to be paid.



15. This Warrant shall come into operation on the 1st day of October, 1866.

Whitehall, Treasury Chambers, the 18th day of September, 1866.

HENRY WHITMORE.  
G. G. MONTGOMERY.

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## BORNEO. (*Labuan.*)

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Packets containing Patterns, or Samples of Merchandize, of no intrinsic value, transmitted to and from Labuan. December 30, 1864.*

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WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, Parliamentary proceedings, and printed papers transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post; and by the same Act powers were given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act of Parliament passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient to authorize the transmission by the post between the United Kingdom and *Labuan* of certain packets, and for that purpose to make certain regulations in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore-recited Acts of Parliament, and each of them, and of all other powers enabling us in this behalf, do, by this Warrant under the hands of two of us the said Commissioners (by the authority of the statute in that case made and provided), order and direct as follows; that is to say:

1. All packets consisting of patterns or samples of mer-

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

chandize, of no intrinsic value, posted in any part of the United Kingdom addressed to *Labuan*, or posted in *Labuan* addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and *Labuan*, by British packet-boat, subject to the several rates of postage hereinafter mentioned (that is to say):

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid, an uniform single rate of postage (British and *Colonial* combined), of 4*d.*;

And on every such packet, if exceeding 4 ounces in weight, there shall be charged, taken, and paid, for the transmission thereof respectively as aforesaid, the several progressive and additional rates of postage hereinafter mentioned.

2. All packets consisting of patterns or samples of merchandize, of no intrinsic value, posted in any part of the United Kingdom, addressed to *Labuan*, or posted in *Labuan*, addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and *Labuan* in closed mails, viâ *France* (the sea conveyance being by British packet-boat) subject to the several rates of postage hereinafter mentioned (that is to say):

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid, an uniform single rate of postage (British, *Colonial*, and *Foreign*) of 6*d.*

And on every such packet, if exceeding 4 ounces in weight, there shall be charged, taken, and paid, for such transmission thereof respectively as aforesaid, the several progressive and additional rates of postage hereinafter mentioned.

3. Every packet which shall be transmitted by the post under the authority of this Warrant, if exceeding 4 ounces in weight, shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned (that is to say):

On every such packet, if exceeding 4 ounces, and not exceeding one half of a pound in weight, there shall be charged, taken, and paid, two rates of postage;

And on every such packet, if exceeding one half of a pound and not exceeding one pound in weight, there shall be charged, taken, and paid 4 rates of postage;

And on every such packet, if exceeding one pound and not exceeding one pound and one half of another pound in weight, there shall be charged, taken, and paid 6 rates of postage;

And for every additional half of a pound in weight of any such packet above the weight of one pound and one half of another pound, there shall be charged, taken, and paid two additional rates of postage, and every fractional part of such additional half of a pound in weight shall be charged as an additional half of a pound in weight, and each progressive and

additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 4 ounces in weight;

4. Every packet which shall be transmitted by the post under the authority of this Warrant, shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter contained (that is to say) :

5. No such packet which in length, or breadth, or depth shall exceed the dimensions of two feet shall be transmitted by the post, under the provisions of this Warrant.

6. No pattern or sample, being of any intrinsic value, or being an article or thing of a saleable nature or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post, under the provisions of this Warrant.

7. There shall be no enclosure, sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in or with any such packet.

8. There shall be no writing or printing in or upon any such packet, or on the cover thereof, except the name and address of the person for whom it is intended, the name and address of the sender thereof, a trade mark, and numbers and prices.

9. All such packets shall be sent in covers open at the ends, so as to be easy of examination. Nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in bags of linen, paper, or of other material, tied at the neck; but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

10. Every packet transmitted by the post under this Warrant, and posted in the United Kingdom, shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

11. The postage of all such packets as aforesaid posted in the United Kingdom, shall in every case be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

12. The postage of all such packets as aforesaid, posted in *Labuan*, shall in every case be paid at the time of the same being posted, either in money or by the proper colonial postage stamp or stamps being affixed thereto.

13. If any packet sent or tendered, or delivered in order to

be sent by the post, under the provisions of this Warrant, shall in length or depth or width exceed the dimensions of two feet, or shall consist wholly of patterns or samples of any intrinsic value, as in the 6th clause of this Warrant mentioned, or if there shall be any writing or printing in or upon any such packet, or on the cover thereof (except the name and address of the person for whom it is intended, the name and address of the sender thereof, a trade mark and numbers and prices), or if any such packets shall not be sent in covers open at the ends so as to be easy of examination (except samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, and which may be enclosed in bags of linen, paper, or of other material tied at the neck), or in case of bags being used, if such bags shall be so closed that they cannot be readily opened, every such packet shall be chargeable and shall be treated in all respects as a letter.

14. If any packet sent or tendered, or delivered, in order to be sent by the post, under the provisions of this Warrant, shall contain any enclosure sealed or otherwise closed against inspection, or any other enclosure not authorized by this Warrant, every such enclosure may be taken out by any officer of the Post Office, and either returned or given up to the sender thereof, or be forwarded to the address on the packet, charged not only with the full rates of postage as an unpaid letter, but also with a further and additional rate of postage equal in amount to the single rate of postage chargeable under the provisions of this Warrant on a packet not exceeding 4 ounces in weight, and the remainder of the packet, if duly prepaid by stamps, may be forwarded to the place of its address without any extra charge.

15. If any packet sent, or tendered, or delivered, in order to be sent by the post, under the provisions of this Warrant shall be posted in the United Kingdom or in *Labuan*, and the postage paid thereon, or postage stamp or stamps affixed thereto, shall represent a less amount than the rate of postage to which such packet would be liable under and by virtue of this Warrant, every such last-mentioned packet shall be forwarded charged with the amount of the difference between the postage so paid thereon or postage stamp or stamps so being thereon or affixed thereto, and the postage to which such packet would be liable as aforesaid, together with a further and additional rate of postage of 4*d.*; but if such packet shall be posted in the United Kingdom or *Labuan* without any postage having been paid thereon, or without having thereon or affixed thereto any postage stamp, every such respective packet shall be forwarded charged with a postage of double the amount of postage to which it would have been liable, under and by virtue of this Warrant, if the postage had been paid when posted.



16. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, whenever it may be necessary so to do, (or, at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

17. In all cases in which any question shall hereafter arise whether any packet, or any pattern or sample contained therein, transmitted under and by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

18. The term "weight," used in this Warrant, shall mean British weight; and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty, chapter 96.

19. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

20. This Warrant shall come into operation on the 1st day of January, 1865.

Whitehall, Treasury Chambers, the 30th day of December, 1864.

WM. DUNBAR.

E. H. KNATCHBULL-HUGESSEN.

## B R A Z I L.

*AGREEMENT between the British and the Brazilian Governments for the Regulation of the Service of the Official and Private Correspondence conveyed between the two countries by British Government Vessels, or by Vessels freighted or maintained by the said Government.—Signed in the English and Spanish Languages, at Rio de Janeiro, January 12, 1853.*

ART. I. The despatches of the Brazilian Government to and

from its diplomatic agents in Lisbon, Montevideo, and Buenos Ayres, shall be conveyed by the British Mail Packets free of all charge for postage.

These despatches, however, are not to exceed the weight of 30 ounces, to or from each of those countries, by any one packet, and should they accidentally exceed that weight the excess only is to be charged with postage. The despatches sent from Lisbon, Montevideo, and Buenos Ayres, shall bear the official seal of the Brazilian Minister or Consul, and shall be addressed to the Minister for Foreign Affairs at Rio de Janeiro. The despatches sent from Brazil shall also bear the official seal of the Minister for Foreign Affairs.

II. In consideration of the official despatches which are sent to and from British functionaries in Brazil being conveyed by the Brazilian Mail Packets free from any charge for postage for the conveyance between Brazilian ports, the official despatches of the Brazilian Government shall in like manner be conveyed by the British Mail Packets between any ports in Brazil at which they may touch free from any British postage.

III. Newspapers printed and published in Brazil shall be conveyed from the ports of the Brazil by the British Mail Packets free from any charge for British postage.

In order to enjoy the exemption from postage above-mentioned, the newspapers must not contain any writing, and they must be sent in bands or covers open at the sides or ends.

IV. The postage to be charged in the United Kingdom upon every letter not exceeding  $\frac{1}{2}$  an ounce in weight, posted in the United Kingdom and forwarded to Brazil, or brought from Brazil and delivered in the United Kingdom, when conveyed by British Government vessels or by vessels freighted or maintained by order of the British Government, shall be reduced from 2s. 9d., the present amount, to 1s.; and for letters of greater weight, the charge shall be in conformity to the scale in operation in the United Kingdom for charging inland letters, that is to say, for every letter not exceeding  $\frac{1}{2}$  an ounce, 1 rate; above  $\frac{1}{2}$  an ounce but not exceeding 1 ounce, 2 rates; above 1 ounce but not exceeding 2 ounces, 4 rates; above 2 but not exceeding 3 ounces, 6 rates; above 3 but not exceeding 4 ounces, 8 rates, and so on; 2 rates being added for every ounce or fraction of an ounce beyond the first ounce.

V. No postage whatever shall be charged in Brazil upon letters forwarded from Brazilian ports to the United Kingdom by British Government vessels, or by vessels freighted or maintained by order of the British Government.

Upon every letter not exceeding  $\frac{1}{2}$  an ounce in weight, brought from the United Kingdom and delivered in Brazil, the postage to be charged shall be reduced from 660 reis, its present

amount, to 240 reis, and letters of greater weight shall be charged in proportion.

VI. The contribution hitherto paid by the General Post Office of Brazil to the British Post Office, in aid of the expense incurred by the latter in maintaining the communication by Mail Packets between the United Kingdom and Brazil, shall be reduced from 452 reis to 200 reis for each ounce weight of letters conveyed by such packets from the United Kingdom to Brazil.

VII. The postage to be charged by the British Post Office upon every letter not exceeding  $\frac{1}{2}$  an ounce in weight conveyed between any two Brazilian ports by a British Mail Packet shall be reduced from 1s., the present amount, to 120 reis, or about  $3\frac{1}{2}d.$  sterling; and letters of greater weight shall be charged in accordance with the British scale of progression inserted in Article IV.

VIII. The mails containing the ordinary correspondence forwarded between the ports of Brazil by Spanish Mail Packets shall be exclusively made up at the General Post Office of Brazil; and the postage due to the British Post Office for the conveyance of such correspondence shall be paid over to the British Packet Agent at the port of dispatch, in such manner as shall be agreed upon between the General Post Office and the Agent.

IX. The mails containing the official despatches of the Brazilian Government, forwarded between the ports of Brazil by British Mail Packets, shall also be made up at the General Post Office of Brazil, separate from the ordinary correspondence alluded to in the preceding Article.

X. The mails, as well as newspapers, intended for dispatch from any of the ports of Brazil by a British Mail Packet, shall be delivered at the office of the British Packet Agent one hour before that appointed for the departure of the packet.

XI. The settlement of the accounts shall take place between the General Post Office of Brazil and the British Packet Agents stationed at the several ports of Brazil at which the British Mail Packets touch, and the amount due to the British Post Office shall be paid in the customary manner.

XII. The British Mail Packets, being considered by the Brazilian Government as merchant vessels, but being the property of a company represented by a responsible agent at Rio Janeiro, the Brazilian Government, in order to avoid any delay in their departure at the appointed hour, engages that the said agent shall be held responsible for any duties or contributions to which the said packets may be liable, or for any fines that may be levied on the commanders of the packets in virtue of the existing fiscal regulations, it being clearly understood that this concession does not relate to any alteration in the regulations of Brazil actually enforced, or that may be established, to make

masters of merchant vessels responsible, and that the concession shall immediately cease whenever the agent of the company shall refuse to pay any contribution whatever, or fine, for which he may be responsible.

XIII. As soon as the mails are put on board in the ports of Brazil, the British Mail Packets shall take their departure; they shall not be detained beyond the hour fixed on any pretext whatever.

XIV. The responsibility of the Agent of the Royal Mail Steam Packet Company being recognized, he shall in that capacity receive a Benepiacito from the Brazilian Government, upon the requisition of the Legation of Her Britannic Majesty at the Brazilian Court.

XV. The present Agreement is concluded for 4 years from the date hereof, and shall come into operation on the 1st day of April of this year.

It cannot be annulled during such period of 4 years, except by the mutual consent of the two Governments.

If neither Government shall notify to the other, 6 months before the expiration of the said term of 4 years, its wish that the present Agreement should terminate at the end of the said term, it shall continue in force for a year longer, and so on from year to year.

Rio de Janeiro, the 12th day of January in the year of our Lord, 1853.

(L.S.) HENRY SOUTHERN.

(L.S.) PAULINO JOZE SOARES DE SOUZA.

MEMORANDUM.—*Privileges and Exemptions to be enjoyed by Steam Packets in Brazilian Ports, employed in conveying the Mails.*  
October 14, 1850.

UNDER the authority of official notes exchanged on the 14th October, 1850, between James Hudson, Esquire, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Brazil, and his Excellency Senhor Paulino Joze Soares de Souza, Minister of Foreign Affairs of His Majesty the Emperor of Brazil, the steam packets employed in the conveyance of the Mails between Great Britain and Brazil are to enjoy the following exemptions and privileges for the space of 10 years, counted from the arrival of the first packet in the first port of Brazil.

1. They shall be exempted from the duties of anchorage, and from any other duty which may be hereafter established; but in this exemption the duties actually established in favour of the Houses of Charity (Misericordia Hospital) are not comprehended.

2. They shall be exempted from giving entry at the Custom



Houses in the ports of Brazil at which they may touch in order to deliver the Mails and land or receive passengers, provided they carry no cargo to those ports, it being the duty of the Guarda Mar (Visiting Officer), when he makes his visit, to permit the disembarkation of the passengers' baggage, and to declare the vessel cleared.

3. In the ports to which they carry cargo they shall be admitted to discharge immediately according to their manifest, and to take on board the fresh cargo which they may have to receive, without being subject to take their turn (*escala*), having the preference over all other ships in this respect, and in everything else which is not opposed to the fiscal laws of Brazil.

4. When they have discharged they shall be visited, with the remainder of their stores (*sobrecellentes*) on board, without being obliged to deposit them in the Custom House.

5. They may leave Brazilian ports at any hour of the day or night, observing the police regulations of the ports.

In return for the foregoing exemptions, it is stipulated and agreed, that the Brazilian Minister in London may send and receive, by each British Mail Packet to and from Brazil, letters and despatches, *bonâ fide* on the service of his Sovereign, up to the weight of 120 ounces, free from any charge for British postage; this exemption, however, is restricted to the official letters and despatches conveyed between London and Rio de Janeiro, and is not to extend to any letters or despatches which may be conveyed by the British Mail Packets between intermediate ports.

It has been agreed that the foregoing stipulations are to be observed between the two Governments in addition to those which are contained in the Agreement of the 12th of January, 1853.

BRITISH MEMORANDUM *regarding the Assessment of Compensation to be paid by the Brazilian Government to the British Government, in the case of the vessel, "The Prince of Wales."*  
London, June 21, 1863. —

ON the 18th February, Earl Russell directed the Queen's Advocate to be informed that the Government of Brazil had instructed their Representative in England to notify to Her Majesty's Government that he was authorized to pay, under protest, whatever sum Her Majesty's Government might demand in the shape of compensation in the case of the vessel "Prince of Wales;" and his Lordship requested the opinion of the Queen's Advocate as to the amount at which that compensation should be assessed.

The Queen's Advocate was at the same time informed that the responsibility of assessing compensation had not been

sought by Her Majesty's Government, who had, indeed, proposed, through Mr. Christie, that the question of amount should be referred to arbitration. The course pursued by Brazil had, however, left Her Majesty's Government no option in the matter.

The Queen's Advocate's Report is to the following effect :

The Queen's Advocate states that he is of opinion—

That no sum should be claimed in excess of the sum mentioned in Mr. Christie's communications to the Brazilian Government ;

That no demand should be made on account of freight, or on account of the loss of the vessel itself ;

That the demand should be founded on the plunder of the cargo, of the effects of the crew, and also upon the too probable murder of some or all of them.

He estimates, roughly, the loss of wages and effects at 290*l.*, and the compensation for possible murders at 840*l.*, to be paid to the families of those who are wrecked.

As to the cargo, he makes allowances for probable and necessary damage, and for salvage had the inhabitants of the coast appeared as salvors in place of plunderers ; and he then roughly estimates this item at 2,360*l.*

Upon these data a sum of 3,200*l.* was fixed by Earl Russell instead of 3,490*l.*, the sum total of the items estimated by the Queen's Advocate.

This sum was demanded by a note of the 24th of February addressed by Earl Russell to M. Moreira, and it was paid by M. Moreira on the 26th of February.

Foreign Office, June 21, 1863.

**BRITISH TREASURY WARRANT**, *reducing the Rates of Postage upon Letters and Packets of Newspapers, Prices Current, or Commercial Lists, conveyed by British Packet Boats between Brazil and Ports of Monte Video and Buenos Ayres, as well as between the Two last named Ports ; and making Regulations for the transmission by British Packet Boats, of Packets of Printed Papers other than Newspapers, and Patterns, or Samples of Merchandize, of no intrinsic value, between the United Kingdom and Brazil, and between Brazil, Monte Video, and Buenos Ayres.*  
November 21, 1866.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, Parliamentary proceedings, and printed papers, transmitted and forwarded by the post, and

\* See Vol. 5. Page 248.

various regulations were made for facilitating the transmission of such letters and papers by the post; and by the same Act powers were given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage, or inland postage, payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any of such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her Majesty, chapter 85,\* for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas further powers were also given to the Commissioners of Her Majesty's Treasury by another Act of Parliament passed in the 18th year of the reign of Her Majesty, chapter 27,† for amending the laws relating to the stamp duties on newspapers, and for providing for the transmission by post of printed periodical publications.

And whereas it is expedient to reduce the British postage now payable upon letters conveyed by British Packet Boat between Brazil and the ports of *Monte Video*, and *Buenos Ayres*, respectively, and also between the last-named ports, and also to make regulations for the transmission by the post between the United Kingdom and *Brazil*, and between certain other places, of certain packets, in the manner hereinafter mentioned and contained.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us, in and by the said hereinbefore recited Acts of Parliament respectively, and all and every, or some or one of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners (by the authority of the statute in that case made and provided), order and direct as follows, that is to say:

1. On every letter transmitted by British packet boat between any port in *Brazil*, and either of the ports of *Monte Video* and *Buenos Ayres* respectively, without passing through the United Kingdom, and on every letter transmitted by British packet boat, between the two last-mentioned ports, without

\* See Vol. 8. Page 248.

† See Vol. 10. Page 320.

passing through the United Kingdom, there shall be charged and taken in lieu of any rates of British postage now chargeable by law thereon in respect of such transmission respectively as aforesaid, the several rates of British postage following, that is to say :

On every such letter, if not exceeding  $\frac{1}{2}$  an ounce in weight, a rate of postage of 4*d.*;

And on every such letter, if exceeding  $\frac{1}{2}$  an ounce and not exceeding 1 ounce in weight, 2 rates of postage;

And on every such letter, if exceeding 1 ounce and not exceeding  $1\frac{1}{2}$  ounce in weight, 3 rates of postage;

And on every such letter, if exceeding  $1\frac{1}{2}$  ounce, and not exceeding 2 ounces in weight, 4 rates of postage;

And for every additional  $\frac{1}{2}$  of an ounce in weight, of any such letter above the weight of 2 ounces, there shall be charged and taken 1 additional rate of postage; and every fractional part of such additional  $\frac{1}{2}$  ounce shall be charged as an additional  $\frac{1}{2}$  ounce in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding  $\frac{1}{2}$  an ounce in weight.

2. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions and privileges granted by the said hereinbefore recited Acts, or any or either of them, or by or under any other Act of Parliament relating to the Post Office, or to annul, prejudice, or affect any of the privileges which officers, seamen, and soldiers employed in Her Majesty's service are by law entitled to of sending and receiving letters by the post subject to the regulations and restrictions made and in force for the time being in respect of the same.

3. On every packet consisting of a printed newspaper, price current, or commercial list, transmitted by British Packet Boat between any port in *Brazil* and either of the ports of *Monte Video* and *Buenos Ayres* respectively, without passing through the United Kingdom, or transmitted by British packet boat between the two last-mentioned ports, without passing through the United Kingdom, there shall be charged and taken, in lieu of any rates of British postage now chargeable by law thereon in respect of such transmission respectively as last aforesaid, the several rates of British postage following; that is to say :

On every such packet if not exceeding 4 ounces in weight a rate of postage of 1*d.*;

And on every such packet, if exceeding 4 ounces in weight, there shall be charged and taken the several further and additional and progressive rates of postage hereinafter mentioned.

4. All packets consisting of printed papers (other than newspapers) posted in the United Kingdom, addressed to *Brazil*, or



posted in *Brazil*, addressed to the United Kingdom, or posted in any port in *Brazil*, addressed to either of the ports of *Monte Video* and *Buenos Ayres* respectively, or posted in either of the said two last-mentioned ports, addressed to any port in *Brazil*, may be respectively transmitted by British Packet Boat between the United Kingdom and *Brazil*, and between any port in *Brazil* and either the ports of *Monte Video* and *Buenos Ayres* respectively, without passing through the United Kingdom, subject to the several rates of British postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged and taken an uniform rate of postage of 3*d*.

And on every such packet, if exceeding 4 ounces in weight, there shall be charged and taken the several further and additional and progressive rates of postage hereinafter mentioned.

5. All packets consisting of patterns or samples of merchandize of no intrinsic value, posted in the United Kingdom, addressed to any port in *Brazil* or either of the ports of *Monte Video* and *Buenos Ayres* respectively, or posted in either of such two last-mentioned ports, or in any port in *Brazil*, addressed to the United Kingdom, or posted in any port in *Brazil*, addressed to either of the said ports of *Monte Video* and *Buenos Ayres* respectively, or posted in either of the said two last-mentioned ports, addressed to any port in *Brazil*, or posted in the said port of *Buenos Ayres*, addressed to the said port of *Monte Video*, or posted in the said port of *Monte Video*, addressed to the said port of *Buenos Ayres*, may be respectively transmitted by British packet boat between the United Kingdom and *Brazil*, *Monte Video*, and *Buenos Ayres* respectively, and between *Brazil* and *Monte Video* and *Buenos Ayres* respectively, without passing through the United Kingdom, and also between *Buenos Ayres* and *Monte Video* respectively, without passing through the United Kingdom, subject to the several rates of British postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged and taken an uniform rate of postage of 3*d*;

And on every such packet, if exceeding 4 ounces in weight, there shall be charged and taken the several further and additional and progressive rates of postage hereinafter mentioned.

6. All packets transmitted respectively under the authority of the 3rd, 4th, and 5th clauses of this Warrant, hereinbefore respectively contained, shall, if exceeding the weight of 4 ounces respectively, be subject to the several further and additional and progressive rates of postage hereinafer mentioned; that is to say:

On every such packet, if exceeding 4 ounces and not exceeding 8 ounces in weight, there shall be charged and taken 2 rates of postage;

And on every such packet, if exceeding 8 ounces and not exceeding 12 ounces in weight, there shall be charged and taken 3 rates of postage;

And on every such packet, if exceeding 12 ounces and not exceeding 16 ounces in weight, there shall be charged and taken 4 rates of postage;

And for every additional 4 ounces in weight of any such packet above the weight of 16 ounces, there shall be charged and taken one additional rate of postage; and in charging any additional rate of postage, every fractional part of such additional 4 ounces in weight shall be charged as an additional 4 ounces in weight; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

7. For the purposes of this Warrant, every printed newspaper, price current, or commercial list, transmitted by the post under the 3rd clause of this Warrant, shall be deemed and considered a packet, and shall be charged and chargeable with a separate and distinct single rate or separate and distinct progressive and additional rates of postage according to the weight thereof, as hereinbefore respectively mentioned, notwithstanding two or more printed newspapers, prices current, or commercial lists shall be enclosed and transmitted in one and the same cover, wrapper, envelope, or bundle, and form only one parcel or bundle of newspapers, prices current, or commercial lists; and every printed supplement or additional sheet to any such printed newspaper shall, for the purpose of charging the postage under this Warrant, be deemed a distinct newspaper, unless sent in the same cover or together with the newspaper to which it is a supplement or addition.

8. Every packet which shall be transmitted by the post, under the authority of the 3rd and 4th clauses of this Warrant, shall be sent without a cover, or in a cover open at the ends or sides; and every packet transmitted by the post under the authority of the 4th clause of this Warrant, may contain any number of separate books or other publications, prints, or maps, and any quantity of paper, parchment, or vellum, and the books or other publications, prints, or maps, may be either printed, written, or plain, or any mixture of the three; and all legitimate binding, mounting, or covering of a book, publication, print, or map, or of a portion thereof, shall be allowed to pass by the post, whether such binding, mounting, or covering, be loose or attached; as also rollers in the case of prints or maps, markers whether of paper or otherwise), in the case of books, and whatsoever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto; but

no packet transmitted by the post under the authority of the 3rd and 4th clauses of this Warrant, shall contain any written letter, nor any communication in the nature of a letter, either closed or open (whether such letter or communication be addressed to or intended for the person to whom the same shall be directed or any other person), nor any enclosure, sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in or with any such packet; nor shall there be any word or communication printed on the contents of any packet, transmitted by the post under the authority of the 3rd clause of this Warrant, after the publication thereof; nor any writing, figures, or marks upon any such contents, or the cover thereof, not authorized by this Warrant, except the name and address of the person to whom the same is sent; but the name or title of any newspaper, and the name and address of the publisher, newsvendor, or agent by whom the same is sent, may be printed on the cover thereof: Provided, however, that no packet transmitted by the post, under the authority of this Warrant, shall consist of or contain any photographs, drawings, prints, or other contents which may be obviously of an obscene character.

9. Every packet consisting of patterns or samples of merchandize, which shall be transmitted by the post under the authority of this Warrant, shall be so transmitted in conformity with and under and subject to the several regulations and conditions hereinafter contained; that is to say:

No pattern or sample, being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant;

There shall be no enclosure sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in or with any such packet;

There shall be no writing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices;

All such packets shall be sent in covers open at the ends, so as to be easy of examination; nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in bags of linen, paper, or other material, tied at the neck, but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for this purpose.

10. No packet which shall exceed 2 feet (British) in length, or 1 foot (British) in breadth or depth, shall be transmitted by the post under the provisions of this Warrant, unless under the special authority of the Postmaster-General.



11. Every packet transmitted by the post under this Warrant, shall be put into the Post Office at such hours in the day, and under all such regulations as the Postmaster-General may appoint.

12. The postage of all such packets authorized to be transmitted by the post under the provisions of the 3rd, 4th, and 5th clauses of this Warrant, shall, in every case, be paid at the time of the same being posted.

13. If any packet shall be posted, or shall be transmitted by the post, under the provisions of this Warrant, otherwise than in conformity with the several conditions and regulations applicable thereto established by or under this Warrant, the same shall and may be detained and opened, and shall be returned or given up to the sender thereof.

14. In order to prevent any obstacle to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the Post, under the provisions of this Warrant, for the space of 24 hours after the time at which the same ought to be despatched in due course of the post, whenever it may be necessary so to do, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

15. In all cases in which any question shall hereafter arise whether any packet, or anything contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

16. The term "weight," used in this Warrant, shall mean British weight; and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty, cap. 96.

17. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

18. This Warrant shall come into operation on the 1st day of January, 1867.

Whitehall, Treasury Chambers, the 21st day of November, 1866.

HENRY WHITMORE.

GERARD NOEL.



## BREMEN.

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CONVENTION *between the General Post-Office of Great Britain and the Post-Office of the Free Hanseatic Republic of Bremen. Signed at London the 15th of December, 1862.*

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THE General Post Office of the United Kingdom of Great Britain and Ireland, and the Post Office of Bremen, being desirous of regulating, by means of a new Convention, the communications by post between the United Kingdom and Bremen.

The Undersigned, Sir Rowland Hill, Knight Commander of the Most Honourable Order of the Bath, Secretary of the General Post Office, furnished with full powers from the Right Honourable Lord Stanley of Alderley, Postmaster-General of the United Kingdom of Great Britain and Ireland, and George Joachim Goschen, Esquire, Consul General of the Hanseatic Cities of Germany, furnished with full powers from the Senate of the Free Hanseatic City of Bremen, on the part of the Post Office of Bremen.

After having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles :

ART. I. There shall be a periodical and regular exchange of correspondence between the United Kingdom of Great Britain and Ireland and Bremen, as well for letters and book packets originating in the United Kingdom or in Bremen, as for articles of the same nature originating in or destined for the countries the correspondence of which is forwarded through Great Britain or through Bremen.

II. The regular exchange of Mails between the British Post Office and the Post Office of Bremen, shall be effected through the following Post Offices, namely :

On the side of the United Kingdom,  
London.

On the side of Bremen,

1. Bremen.

2. Bremerhaven.

III. It is agreed that the British Post Office shall make use of the right which it possesses, under the Postal Convention between Great Britain and Belgium, of exchanging closed Mails with the Bremen Post Office through the Belgian territory.

The British Post Office shall pay to the Post Office of Belgium the transit postage due to that office for the transit of the letters contained in the closed Mails in both directions

exchanged between the United Kingdom and Bremen, and the Bremen Post Office shall repay to the British Post Office, at the expiration of every quarter, one-half of the total amount paid to Belgium on account of such transit during the quarter.

IV. Independently of the correspondence which shall be exchanged between the British Post Office and the Post Office of Bremen by the route pointed out in the preceding Article, those offices may mutually forward from one to the other letters and book packets by merchant ships plying between the British ports of London or Hull, and Bremen.

V. Persons desirous of sending ordinary letters, that is to say, letters not registered, either from the United Kingdom of Great Britain and Ireland to Bremen, or from Bremen to the United Kingdom of Great Britain and Ireland, whether *viâ* Belgium or direct by private ship, shall have the option of leaving the postage of such letters to be paid by the receivers or of paying the postage in advance to the place of destination.

VI. The total amount of postage to be collected in the United Kingdom upon paid letters originating in the United Kingdom, addressed to Bremen, as well as upon unpaid letters originating in Bremen, addressed to the United Kingdom, whether conveyed *viâ* Belgium or direct by private ship, shall be as follows:

For every single paid letter, 6*d*.

For every single unpaid letter, 8*d*.

Reciprocally, the total amount of postage to be collected in Bremen upon paid letters originating in Bremen, addressed to the United Kingdom, as well as upon unpaid letters originating in the United Kingdom, addressed to Bremen, whether conveyed *viâ* Belgium or direct by private ship, shall be as follows:

For every single paid letter, 5 silver groschen.

For every single unpaid letter, 7 silver groschen.

VII. With respect to letters above the weight of a single letter, which is fixed at  $\frac{1}{2}$  an ounce in the United Kingdom, and at 1 zoll loth in Bremen, the British Office shall apply the following scale of progression for all letters the postage of which is collected in the United Kingdom, viz.:

For every letter exceeding  $\frac{1}{2}$  an ounce, and not exceeding 1 ounce, 2 rates of postage.

For every letter exceeding 1 ounce, and not exceeding 2 ounces, 4 rates of postage.

For every letter exceeding 2 ounces, and not exceeding 3 ounces, 6 rates of postage.

And so on, 2 rates being added for every additional ounce.

And the Bremen Office shall apply the following scale of progression for all letters the postage of which is collected in Bremen, viz.:

For every letter weighing a zoll loth, but under 2 zoll loth, 2 rates of postage.

For every letter weighing 2 zoll loth, but under 3 zoll loth, 3 rates of postage.

And so on, an additional rate of postage being charged for every zoll loth.

VIII. The Post Offices of Great Britain and Bremen shall mutually account to each other for the portion of the postage which is due to each other upon the letters dispatched from one office to the other.

The British Post Office shall pay to the Bremen Post Office for every single paid letter originating in the United Kingdom, addressed to Bremen, and conveyed *viâ* Belgium, the sum of 3*d.*, and for every single unpaid letter originating in Bremen, addressed to the United Kingdom, and conveyed *viâ* Belgium, the sum of 4*d.*

The British Post Office shall pay to the Bremen Post Office for every single paid letter originating in the United Kingdom, addressed to Bremen, and conveyed direct by private ship the sum of 1½*d.*, and for every single unpaid letter originating in Bremen, addressed to the United Kingdom, and conveyed direct by private ship, the sum of 2*d.*

The Bremen Post Office, on the other hand, shall pay to the British Post Office for every single paid letter originating in Bremen, addressed to the United Kingdom, and conveyed *viâ* Belgium, the sum of 2½ silver groschen, and for every single unpaid letter originating in the United Kingdom, addressed to Bremen, and conveyed *viâ* Belgium, the sum of 3½ silver groschen.

The Bremen Post Office shall pay to the British Post Office for every single paid letter originating in Bremen, addressed to the United Kingdom, and conveyed direct by private ship, the sum of 3 silver groschen 9 pfenning, and for every single unpaid letter originating in the United Kingdom, addressed to Bremen, and conveyed direct by private ship, the sum of 5 silver groschen 3 pfenning.

For every letter above the weight of a single letter each Office shall pay to the other an increased amount according to the scale of progression adopted in that country in which the postage is collected.

IX. When the postage stamps affixed to a letter forwarded from the United Kingdom to Bremen or from Bremen to the United Kingdom, shall represent a sum less than that required for its prepayment, at the rate of 6*d.*, or 5 silver groschen, for a single letter, such letter shall be considered as unpaid, and charged as such, after deducting the value of those stamps.

The amount of the sums paid, as well by the senders of insufficiently paid letters as by the persons to whom those

letters are addressed, shall be equally divided between the Post Office of Bremen and the British Post Office.

X. In all cases in which a fee or other charge, in addition to the rates of Postage specified in this Convention, is levied in Bremen, upon the delivery of paid or unpaid letters originating in the United Kingdom, one-half of the amount of such fee or other charge shall be paid to the British Post Office by the Post Office of Bremen.

Reciprocally, in the event of a fee or other charge, in addition to the rates of postage specified in this Convention, being at any time levied in the United Kingdom upon the delivery of paid or unpaid letters originating in Bremen, one-half of the amount of such fee or other charge shall be paid to the Post Office of Bremen by the British Post Office. It is understood, however, that this stipulation does not apply to the payments voluntarily made to letter carriers for delivering letters to persons residing beyond the prescribed limits within which a free delivery takes place in any town or village in the United Kingdom.

The two offices shall settle by mutual consent the mode in which the amount due to each, as its share of the fees or additional charges levied either in Bremen or in the United Kingdom, is to be ascertained and brought to account.

XI. The Bremen Post Office shall pay to the British Post Office for the territorial conveyance, through the United Kingdom, of letters forwarded in open mails, in transit through the United Kingdom, to or from countries or colonies beyond sea, viz. :

For every single paid letter originating in Bremen, and addressed to such countries or colonies, the sum of 3*d*.

For every single unpaid letter originating in such countries or colonies, and addressed to Bremen, 4*d*.

The Bremen Post Office shall further pay to the British Post Office upon this class of letters, the rate paid by the inhabitants of the United Kingdom for letters having the same origin or destination, from which rate, however, the sum of 1*d*. shall be first deducted, in all cases where such rate includes the British inland rate.

The conditions under which letters sent in transit through the United Kingdom to or from Bremen shall be exchanged between the Bremen Post Office and the British Post Office, in conformity with the foregoing stipulations, are shown in Table A annexed to this Convention.

XII. The British Post Office may deliver to the Bremen Post Office registered letters addressed to Bremen.

Reciprocally, the Bremen Post Office may deliver to the British Post Office registered letters addressed to the United Kingdom.



The Postage of registered letters shall always be paid in advance.

A fee, or additional charge, the amount of which the dispatching office shall fix, may be levied over and above the postage to which such letters are liable, but no postage, duty, or tax, other than that for delivery, referred to in Article IX preceding, shall be levied on the delivery of registered letters forwarded from the United Kingdom of Great Britain and Ireland to Bremen, or *vice versa*.

The British Office shall account to the Bremen Office for one-half the registration fee levied upon registered letters posted in the United Kingdom, and a like sum upon registered letters passing in transit through the United Kingdom, addressed to Bremen; and the Bremen Office shall account to the British Office for one-half the registration fee levied upon registered letters posted in Bremen, addressed to the United Kingdom.

XIII. The Bremen Post Office may further deliver to the British Post Office registered letters addressed to the United States of America (including California and Oregon), to Liberia, or to the British Colonies of India, Malta, Gibraltar, Hong Kong, the British West Indies, the Cape of Good Hope, St. Helena, Natal, Ceylon, Mauritius, New South Wales, Victoria, Tasmania, South Australia, Western Australia, Queensland, New Zealand, Newfoundland, Bermuda, Canada, New Brunswick, Nova Scotia, Prince Edward Island, Sierra Leone, Gambia, the Gold Coast, and the Falkland Islands.

The Bremen Post Office shall account to the British Post Office, in addition to the postage due to the British Post Office, and to half the fee levied for the registration between Bremen and the United Kingdom, for the sum of 5 silver groschen upon every registered letter addressed to any of the countries or colonies above enumerated.

XIV. Subject to the following conditions, book packets, including under that designation newspapers and printed papers of every kind, may be sent from Bremen to the United Kingdom of Great Britain and Ireland, whether *via* Belgium or direct by private ship, at such rates of postage as may be fixed from time to time by the Bremen Post Office, and from the United Kingdom to Bremen at such rates of postage as may be fixed from time to time by the British Post Office:

1. The postage must be prepaid.
2. Book packets, insufficiently prepaid by means of postage stamps, shall be charged with double the amount of the deficiency. The produce of this charge shall be retained by the office which collects it.
3. Every packet must be sent either without a cover or in a cover open at the ends or sides, so as to admit of the examination of its contents.

4. A book packet may contain any number of separate books or other publications, prints, or maps, whether printed, engraved, or lithographed, and whether on paper, parchment, or vellum, as also photographs on paper, parchment, or vellum; further, all legitimate binding, mounting, or covering of a book, publication, &c., or of a portion thereof, shall be allowed, whether such binding, &c. be loose or attached; as also rollers in the case of prints or maps, markers (whether of paper or otherwise), in the case of books, and, in short, whatever is necessary for the safe transmission of literary or artistic matter or usually appertains thereto; but no patterns or books of patterns (unless these consist merely of paper) shall be allowed.

5. No book packet may contain any writing, figures, or manual marks whatsoever.

6. No book packet must exceed two feet British in length, width, or depth, or 3 pounds Prussian in weight.

XV. In exception to the stipulations of Article XIV preceding, it is agreed that ordinary corrections in writing shall be allowed in the case of book packets containing unbound proof sheets only.

XVI. The British Post Office shall pay to the Post Office of Bremen, on such of the book packets mentioned in Article XIV preceding as shall originate in the United Kingdom of Great Britain and Ireland, as well as on prepaid book packets passing in transit through the United Kingdom, the sum of 5*d.* per Prussian pound net weight.

The Post Office of Bremen on its side shall pay to the British Post Office, on such of the book packets mentioned in Article XVI preceding, as shall originate in Bremen, the sum of 4 silver groschen per Prussian pound net weight for the entire service to be rendered by the British Post Office, and 4*d.* per Prussian pound in repayment of the transit rate to be paid to Belgium.

XVII. No postage whatever shall be charged by the Bremen Post Office upon the delivery of book packets originating in the United Kingdom of Great Britain and Ireland, and addressed to Bremen; and, in like manner, no postage whatever shall be charged by the British Post Office upon the delivery of book packets originating in Bremen, and addressed to the United Kingdom of Great Britain and Ireland.

It is nevertheless understood that this provision does not in any way invalidate the right either of the British Office or of the Bremen Office to refuse to deliver newspapers or other printed papers, the importation of which may be prohibited by the laws and regulations of the country to which they are forwarded.

In the event of any stamp duty, fee for delivery, or other charge being levied hereafter in Bremen upon newspapers or other printed papers originating in the United Kingdom of

Great Britain and Ireland, the whole amount of such stamp duty, fee for delivery or other charge shall be paid over by the Bremen Post Office to the British Post Office.

Reciprocally, in the event of stamp duty, fee for delivery, or other charge being levied hereafter in the United Kingdom upon newspapers or other printed papers originating in Bremen, the whole amount of such stamp duty, fee for delivery, or other charge shall be paid over by the British Post Office to the Bremen Post Office.

XVIII. The payments at the rate of 1*d.* per letter, and 1*d.* per 4 ounces for book packets on account of the sea conveyance of letters and book packets, contained in the mails exchanged between the British Post Office and the Bremen Post Office, by means of private ships, shall be made to the commanders or owners of those ships, as follows :

When the vessel employed is a Bremen ship, the payment shall be made by the Bremen Post Office, and when the vessel employed is a British ship, the payment shall be made by the British Post Office.

The British Post Office shall reimburse the Bremen Post Office the amount paid by the latter upon letters forwarded in either direction, as well as the amount paid upon book packets forwarded from the United Kingdom to Bremen by a private ship belonging to Bremen.

On its side the Bremen Post Office shall reimburse the British Post Office the amount paid by the latter upon book packets forwarded from Bremen to the United Kingdom by a private ship belonging to the United Kingdom.

XIX. The Post Office of Bremen shall pay to the British Post Office for the conveyance across the United Kingdom of Great Britain and Ireland of book packets in transit which the British Post Office shall convey through its territory on account of the Post Office of Bremen, the sum of 5*d.* per Prussian pound, net weight.

The Post Office of Bremen shall further pay to the British Post Office for the sea conveyance of book packets which shall be conveyed, on account of the Post Office of Bremen, by British mail packets or by private ships leaving or arriving at the ports of the United Kingdom of Great Britain and Ireland, the sum of 5*d.* per Prussian pound, net weight.

In consideration of the expenses incurred by the British Post Office for the conveyance of mails across the Isthmus of Suez or the Isthmus of Darien, the Post Office of Bremen shall further pay to the British Post Office for book packets which the Post Office of Bremen shall forward or receive by British Mail Packets and by way of either Isthmus, viz. :

For the conveyance of book packets across the Isthmus of Suez, a transit rate of 4*d.* per Prussian pound, net weight.



For the conveyance of book packets across the Isthmus of Darien, a transit rate of 1s. per Prussian pound, net weight.

XX. Ordinary or registered letters and book packets mis-directed or mis-sent, shall be reciprocally returned without delay through the respective offices of exchange for the same weight and amount of postage at which they were charged by the dispatching office to the other office.

The articles of a like nature addressed to persons who have changed their residence shall be mutually forwarded or returned, charged with the rate that would have been paid by the receivers.

XXI. Ordinary or registered letters and book packets exchanged in ordinary mails between the two Post Offices of Great Britain and Bremen, which cannot be delivered, from whatever cause, shall be mutually returned at the expiration of every month. Such of those articles as shall have been charged in the accounts shall be returned for the amount of postage which was originally charged by the sending office.

Those which were sent paid to destination shall be returned without postage or charge.

XXII. The British Post Office and the Post Office of Bremen shall determine by mutual consent the direction of the correspondence reciprocally transmitted, and shall settle the arrangements relating to the form and the liquidation of the accounts arising out of the mutual transmission of correspondence, as well as every other matter of detail which may be necessary to ensure the execution of the stipulations contained in the present Convention.\*

The two offices shall have power to modify from time to time by mutual consent the arrangements made in virtue of this Article, as well as those fixed by all the preceding Articles.

XXIII. Ordinary letters, registered letters, and book packets of every kind exchanged between the two Post Offices of Great Britain and Bremen, which shall have been paid to destination, or for some part of the distance beyond the territory of the despatching office, shall be marked in a conspicuous part of the address with an impression in red ink of a stamp intended to denote to the respective offices of exchange the extent of prepayment.

The stamp P.D. shall be impressed on ordinary or registered letters as well as on book packets which shall be prepaid to destination.

The stamp P.P. shall be impressed on ordinary letters as well as on book packets which shall be prepaid for some part of the distance beyond the territory of the despatching office.

XXIV. Each of the mails exchanged between the Post Offices of the two countries shall be accompanied by a letter-bill in which the despatching office shall state the nature of the articles which the mail contains, and the amount of postage due to each office. The office to which the mail shall be forwarded shall acknowledge its receipt to the dispatching office by return of post.

\* See page 261.



The letter bills and acknowledgments of receipt for the mails sent from the Post Office of London, to the Post Offices of Bremen and Bremerhaven *via* Belgium, shall be according to the Form B annexed to the present Articles.

The letter-bills and acknowledgments of receipt for the mails sent from the Post Offices of London and Hull, to the Post Offices of Bremen and Bremerhaven, direct by private ship, shall be according to the Form C annexed to the present Articles.

The letter-bills and acknowledgments of receipt which the Offices of Bremen and Bremerhaven shall use in their communications with the Post Offices of London and Hull, shall agree with the forms above described.

XXV. If it should happen on the usual days and hours for making up the mails that an office of exchange has not any letter to forward to the corresponding office, the dispatching office shall nevertheless send, in the ordinary way, a mail which shall contain a blank letter-bill.

XXVI. The British Post Office shall every month prepare separate accounts exhibiting the results of the transmission between the respective offices of exchange of the correspondence mutually exchanged. Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the month.

XXVII. The separate accounts described in the preceding Article shall be incorporated every month in general accounts showing the result of the transmission of the correspondence exchanged between the Post Office of Great Britain and the Post Office of Bremen.

XXVIII. The general accounts mentioned in the preceding Article shall be compared and settled by the two offices, and the balance shall be paid at the end of every quarter by that office which shall be found to be indebted to the other.

XXIX. The present Agreement shall come into operation on the 1st day of January, 1863, and shall continue in force until one of the two Contracting Parties shall have announced to the other, one year in advance, its intention to terminate it. During this last year the Agreement shall continue to be fully and entirely carried into effect without prejudice to the settlement of the accounts between the British and Bremen Offices after the expiration of the said term.

All the Agreements which now regulate the exchange of correspondence between the United Kingdom and Bremen shall cease to have effect from the date of the day when the present Agreement shall be put into execution.

Done in duplicate at London, the 15th day of December, 1862.

(L.S.) ROWLAND HILL.

(L.S.) GEORGE J. GOSCHEN.

TABLE showing the Conditions on which shall be exchanged in Ordinary Mails between the British Post Office and the Bremen Post Office Ordinary Letters dispatched from the Countries the Correspondence of which is transmitted through Great Britain for Bremen, and *vice versa*.

•• The rates marked thus • increase according to two different principles. The sum of 3d. out of each rate is chargeable by the Zoll loth and the remainder by the ½ ounce. The rates marked thus † also increase according to two principles, 2d. being chargeable by the Zoll loth, and the remainder by the ½ ounce.

COUNTRIES.	Letters delivered by the British Office to the Bremen Office.				Letters delivered by the Bremen Office to the British Office.			
	Regulation as to Payment in Advance.	To what Limit.	Rate of Postage to be paid by the Bremen Office to the British Office for an unpaid Letter not exceeding ½ oz. 1 Zoll loth.	s. d.	Regulation as to Payment in Advance.	To what Limit.	Rate of Postage to be paid by the Bremen Office to the British Office for an unpaid Letter not exceeding ½ oz. 1 Zoll loth.	s. d.
Antigua, Bahamas, Barbadoes, Bermuda, Carrizacou, Dominica, Grenada, Gibraltar, British Guiana, Honduras, Montserrat, Nevis, St. Christopher (St. Kitt's), St. Lucia, St. Vincent, Tobago, Jamaica, Trinidad, Tortosa	Optional	Destination	0 9	0 3	Optional	Destination	0 8	0 4
Canada (by Canadian Packet)	Do.	Do.	0 9	0 3	Do.	Do.	0 8	0 4
Nova Scotia, New Brunswick, (via Halifax)	Do.	Do.	0 11	0 3	Do.	Do.	0 10	0 4
Prince Edward Island	Do.	Do.	0 9	0 3	Do.	Do.	0 10	0 4
Newfoundland	Do.	Do.	0 9	0 3	Do.	Do.	0 8	0 4
Ascension	Compulsory	Port of embarkation	0 9	0 3	Compulsory	Port of disembarkation	0 8	—
Lagos, Liberia, Gold Coast, St. Helena, Sierra Leone, Cape of Good Hope, Natal, Gambia, Falkland Islands	Optional	Destination	0 9	0 3	Optional	Destination	0 8	0 4
New Granada, and Costa Rica	Compulsory	Port of embarkation	1 3	—	Compulsory	Port of disembarkation	1 2	—
Madagasy, Bonny, Cameroons, Fernando Po, Goree, Old Calabar, Venezuela, and Wyndham	Do.	Do.	0 9	—	Do.	Do.	0 8	—
Brazil, Buenos Ayres, and Monte Video	Do.	Do.	1 3	—	Do.	Do.	1 2	—
Vancouver's Island	Do.	Do.	1 5	—	Do.	Do.	1 4	—
Haiti, Martinique, and Guadeloupe	Do.	Do.	0 9	—	Do.	Do.	0 8	—
The Canary Islands	Optional	Destination	0 9	0 3	Optional	Destination	0 8	0 4
Madeira and the Cape de Verde	Compulsory	Port of embarkation	0 11	0 3	Do.	Port of disembarkation	0 6	0 4
Portugal and Azores (by Packet)	Do.	Do.	0 11	0 3	Do.	Do.	0 6	0 4
United State of (by Private Ship)	Do.	English Port of Disembarkation	0 4	—	Do.	English Port of embarkation	0 3	—
North America (by British Packet)	Do.	United States Port of embarkation	1 0	—	Do.	United States Port of disembarkation	0 11	—
West Coast of America, via Panama	Do.	Port of embarkation	2 3	0 3	Do.	Port of disembarkation	2 2	—
California, Oregon, and (via United States)	Do.	Do.	1 5	—	Do.	Do.	1 4	—
Sandwich Islands	Do.	Do.	3 7	—	Do.	Do.	3 6	—
Mexico	Do.	Do.	2 5	—	Do.	Do.	2 4	—
Guatemala, St. Eustatius, Cayenne, St. Martin's, Surinam, and Grey Town	Do.	Do.	0 9	—	Do.	Do.	0 8	—
St. Croix and St. Thomas	Do.	Do.	0 9	0 3	Optional	Do.	0 8	0 4
Cuba	Do.	Do.	1 9	—	Compulsory	Do.	1 8	—
Porto Rico	Do.	Do.	1 7	—	Do.	Do.	1 6	—
Foreign Countries generally (except Portugal and the Azores), beyond sea by private ships leaving or arriving at ports of the United Kingdom	Do.	Do.	0 9	—	Do.	Do.	0 8	—

ADDITIONAL ARTICLES *to the Convention agreed upon between the General Post Office of Great Britain and the Post Office of Bremen, for Regulating the Communications by Post between the United Kingdom and Bremen.*—Signed at London, 15th Bremen, 24th December, 1864.

IN pursuance of the power granted by Article XXII of the Convention of the 15th December, 1862,\* between the United Kingdom of Great Britain and Ireland and the Free Hanseatic Republic of Bremen, to the two Post Offices, to modify, from time to time, by mutual consent, the arrangements made in virtue of the said Convention :

The undersigned, duly authorized for that purpose by their respective Governments, have agreed upon the following Articles :

ART. I. Subject to the following conditions, patterns of merchandize shall be forwarded from the United Kingdom of Great Britain and Ireland to Bremen at such rates of postage as may be fixed, from time to time, by the British Post Office, and from Bremen to the United Kingdom of Great Britain and Ireland at such rates of postage as may be fixed, from time to time, by the Bremen Post Office.

1. The postage must be prepaid. Packets of patterns insufficiently prepaid by means of postage stamps shall be charged with double the amount of the deficiency. The produce of this charge shall be retained by the office which collects it.

2. The patterns of merchandize must not be of intrinsic value. No article of a saleable nature, or which has a mercantile value either by reason of its quality or its quantity, and of which a use might be made otherwise than as a pattern, shall be sent at the rate applicable to patterns of merchandize.

3. The patterns of merchandize must not bear any other writing, in addition to the address of the sender, and the address of the person for whom they are intended, than a manufacturer's or trade mark, numbers and prices, and these particulars must, in all cases, be given, not on loose pieces of paper, but on small labels attached to the patterns, or the bags or boxes containing them.

4. The patterns of merchandize must be sent (as in the case of books) in covers open at the ends or made up in such a manner as to admit of their being easily opened, examined, and recognized as patterns.

5. No article which might injure the contents of the mail bags, or the persons of the officers of the Post Office, shall be sent through the post as a pattern of merchandize ; but scissors, and other similar articles, may be forwarded from one country to the other, through the post as patterns, provided

\* Page 251.

they be packed and guarded in so secure a manner as to afford complete protection to the contents of the mail bags and the officers of the Post Office, while at the same time the patterns may be easily examined.

6. No packet containing patterns of merchandize which exceeds the weight of 8 ounces, British, shall be sent from the United Kingdom of Great Britain and Ireland to Bremen. In like manner no packet containing patterns of merchandize which exceeds the weight of 15 zoll loth shall be sent from Bremen to the United Kingdom of Great Britain and Ireland.

II. The Bremen Post Office shall pay to the Belgian Post Office the transit rate which will be due to Belgium for the conveyance over the Belgian territory of patterns of merchandize sent, in both directions, between the United Kingdom of Great Britain and Ireland and Bremen; and the British Post Office shall repay to the Bremen Post Office the total amount of the transit rate paid to Belgium for the conveyance of the patterns of merchandize contained in all the mails forwarded from the United Kingdom to Bremen.

III. The Post Office of Bremen shall pay to the British Post Office upon such of the patterns of merchandize mentioned in Article I preceding, as shall originate in Bremen, the sum of 4 silver groschen per Prussian pound net weight.

The British Post Office on its side, shall pay to the Post Office of Bremen on such of the patterns of merchandize mentioned in Article I preceding, as shall originate in the United Kingdom of Great Britain and Ireland, the sum of 5*d.* per Prussian pound net weight, and in addition, the sum of 2 centimes per 40 grammes in re-payment of the transit rate to be paid to Belgium.

IV. No postage whatever shall be charged by the Bremen Post Office upon the delivery of packets containing patterns of merchandize originating in the United Kingdom of Great Britain and Ireland and addressed to Bremen; and in like manner, no postage whatever shall be charged by the British Post Office upon the delivery of packets containing patterns of merchandize originating in Bremen and addressed to the United Kingdom of Great Britain and Ireland.

In the event of any fee for delivery or other charge being levied hereafter in Bremen upon packets containing patterns of merchandize forwarded from the United Kingdom of Great Britain and Ireland, addressed to Bremen, and prepaid to destination, the whole amount of such fee for delivery or other charge shall be paid over by the Bremen Post Office to the British Post Office.

V. The present Articles shall be considered as additional to the Convention between the General Post Office of the United Kingdom of Great Britain and Ireland, and the Post Office of



Bremen, signed at London, the 15th December, 1862, and shall be carried into effect on the 1st day of January, 1865.

Done in duplicate, and signed at London the 15th day of the month of December, 1864, and at Bremen the 24th day of the same month.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) J. H. FR. BETGE, *Post Director*.

## CENTRAL AMERICA, &c.

BRITISH TREASURY WARRANT, *altering the Rates of Postage on Letters transmitted between the United Kingdom or any British Colony or Foreign Country and Columbia or Central America; or between any Port or Place on the West Coast of South America, Columbia, Equator, Bolivia, Chili, Peru, and any British or Foreign Port, via Panama, or between any British or Foreign Port in the West Indies and any Port in British North America, or in the United States.* November 11, 1864.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the regulation of the Duties of Postage,"\* power is given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage payable by law on the transmission by the post of *Foreign or Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament, passed in the 11th year of the reign of Her present Majesty, intituled "An Act for giving further facilities for the transmission of Letters by Post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office."†

And whereas it is expedient to alter the rates of British postage now payable upon the letters hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers vested in us in and by the said recited Acts, and each of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us

\* See Vol. 6. Page 243.

† See Vol. 8. Page 247.

the said Commissioners, by the authority of the statute in that case made and provided, order, direct, and declare, as follows :

1. All letters exceeding  $\frac{1}{2}$  an ounce in weight posted in any part of the United Kingdom, or in any British *Colony* or *Foreign* country, addressed to any part of the *United States of Columbia*, or *Central America*, or posted in any part of the *United States of Columbia* or *Central America*, addressed to any part of the United Kingdom, or to any British *Colony* or *Foreign* country, and transmitted between the United Kingdom and any port or place in the *United States of Columbia*, direct by British packet-boat. And all letters exceeding  $\frac{1}{2}$  an ounce in weight, transmitted *viâ Panama* from any port or place on the *Western Coast of South America* to any British or *Foreign* port, without passing through the United Kingdom (the sea conveyance being by British or by *United States* packet-boat). And all letters exceeding  $\frac{1}{2}$  an ounce in weight, transmitted direct by British packet-boat between any British or *Foreign* port in the *West Indies* and any port in *British North America* or in the *United States*, shall, in lieu of being charged with the postage payable thereon, in respect of such transmission as aforesaid, according to the scale of weight and number of rates contained in or referred to by any Warrant or Warrants of the Commissioners of Her Majesty's Treasury, or otherwise, now in force relating to any such letters, be charged with the postage payable thereon, according to the following scale of weight and number of rates following ; that is to say :

2. On every such letter so transmitted as is mentioned in Clause No. 1, of this Warrant, if exceeding  $\frac{1}{2}$  an ounce in weight, and not exceeding 1 ounce in weight, there shall be charged, taken, and paid 2 rates of postage.

And on every such letter so transmitted, if exceeding 1 ounce and not exceeding  $1\frac{1}{2}$  ounce in weight, there shall be charged, taken, and paid 3 rates of postage ;

And on every such letter so transmitted, if exceeding  $1\frac{1}{2}$  ounce and not exceeding 2 ounces in weight, there shall be charged, taken, and paid 4 rates of postage.

And for every additional  $\frac{1}{2}$  an ounce in weight of any such letter so transmitted as aforesaid, above the weight of 2 ounces, there shall be charged, taken, and paid 1 additional rate of postage, and every fractional part of such additional  $\frac{1}{2}$  an ounce in weight shall be charged as an additional  $\frac{1}{2}$  an ounce in weight, and each progressive and additional rate chargeable under this Warrant shall be estimated and charged at the sum which any such letter would be charged with under any such Warrant or Warrants, or otherwise, as hereinbefore mentioned, if not exceeding  $\frac{1}{2}$  an ounce in weight.

3. So much of a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 17th day of March,

1863,\* as relates to letters transmitted from any port in the Republic of *New Granada* to any part of the United Kingdom, or transmitted from any port in *New Granada* to any of Her Majesty's Colonies or any *Foreign* country, through the United Kingdom, is hereby repealed, revoked, and annulled.

4. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the session of Parliament holden in the 3rd and 4th years of the reign of Her Majesty for the regulation of the duties of postage.

5. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby altered, or any of the orders, regulations, conditions, and restrictions hereby made, and may make and establish any new or other rates, orders, regulations, conditions, or restrictions in lieu thereof, and from time to time may appoint at what time the rates which may be payable are to be paid.

6. This Warrant shall come into operation on the 1st day of January, 1865.

Whitehall, Treasury Chambers, the 11th day of November, 1864.

WM. DUNBAR.

E. H. KNATCHBULL-HUGESSEN.

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## CHINA.

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from Malta or Egypt, via France; or to and from China.* March 16, 1865.†

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, chapter 96‡, for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, parliamentary proceedings, and printed papers, transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post, and by the same Act

\* See Vol. 11. Page 1007. † Amended by Warrant, April 28, 1866.

‡ See Vol. 5. Page 248.

powers were given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament passed in the 11th year of the reign of Her Majesty, chapter 85\*, for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient to fix certain rates of postage on packets consisting of patterns or samples of merchandize, of no intrinsic value, transmitted by the post between the United Kingdom and the several places hereinafter set forth, and also to make certain regulations in relation thereto, as are hereinafter contained.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts of Parliament and each of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows; that is to say:

1. All packets consisting of patterns or samples of merchandize, of no intrinsic value, posted in any part of the United Kingdom, addressed to *Malta*, or posted in *Malta*, addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and *Malta*, either in the closed mail *viâ Marseilles*, and by British packet-boat, or *viâ France*, and by *French* packet-boat, subject to the several rates of postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid an uniform single rate of postage of 4*d.*

And on every such packet, if exceeding 4 ounces in weight, there shall be charged, taken, and paid, for such transmission thereof respectively as aforesaid, the several progressive and additional rates of postage hereinafter mentioned.

2. All packets consisting of patterns or samples of merchandize, of no intrinsic value, posted in any part of the United Kingdom, addressed to *Alexandria*, *Cairo*, or *Suez*, or posted in *Alexandria*, *Cairo*, or *Suez*, addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and *Alexandria*, *Cairo*, and *Suez*, in the closed mail *viâ Marseilles*, and by British packet-boat, subject to the several rates of postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight,

\* See Vol. 8. Page 247.



there shall be charged, taken, and paid an uniform single rate of postage of 4*d*.

And on every such packet, if exceeding 4 ounces in weight, there shall be charged, taken, and paid for such transmission thereof respectively as aforesaid, the several progressive and additional rates of postage hereinafter mentioned.

3. All packets consisting of patterns or samples of merchandize, of no intrinsic value, posted in any part of the United Kingdom, addressed to *Shanghai*, or any port in *China* at which the British mail packet-boat calls, or posted in *Shanghai*, or any other port in *China* at which the British mail packet-boat calls, addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and *Shanghai*, or other ports in *China* at which the British mail packet-boat calls, subject to the several rates of postage hereinafter mentioned; that is to say:

On every such packet not exceeding 4 ounces in weight so transmitted direct *viâ Egypt* (the sea conveyance being by British packet-boat), there shall be charged, taken, and paid an uniform single rate of postage of 4*d*.

On every such packet not exceeding 4 ounces in weight so transmitted in the closed mail *viâ Marseilles* (the sea conveyance being by British packet-boat), there shall be charged, taken, and paid an uniform single rate of postage of 6*d*.

And on every such packet if exceeding 4 ounces in weight there shall be charged, taken, and paid for such transmission thereof respectively as aforesaid, the several progressive and additional rates of postage hereinafter mentioned.

4. All packets consisting of patterns or samples of merchandize of no intrinsic value posted in any part of the United Kingdom, addressed to any foreign port on the *Western Coast of Africa* at which the British mail packet-boat calls, or posted in any foreign port on the *Western Coast of Africa* at which the British mail packet-boat calls, addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and such foreign ports on the *Western Coast of Africa* as aforesaid (the sea conveyance being by British packet-boat), subject to the several rates of postage hereinafter mentioned (that is to say):

On every such packet not exceeding 4 ounces in weight there shall be charged, taken, and paid an uniform single rate of postage of 3*d*.

And on every such packet if exceeding 4 ounces in weight there shall be charged, taken, and paid for such transmission thereof as aforesaid, the several progressive and additional rates of postage hereinafter mentioned.

5. Every packet which shall be transmitted by the post, under the authority of this Warrant, if exceeding 4 ounces in

weight, shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned (that is to say):

On every such packet if exceeding 4 ounces and not exceeding  $\frac{1}{2}$  of a pound in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such packet if exceeding  $\frac{1}{2}$  of a pound and not exceeding 1 pound in weight, there shall be charged, taken, and paid 4 rates of postage;

And on every such packet if exceeding 1 pound and not exceeding  $1\frac{1}{2}$  pound in weight, there shall be charged, taken, and paid 6 rates of postage;

And on every such packet if exceeding  $1\frac{1}{2}$  pound and not exceeding 2 pounds in weight, there shall be charged, taken, and paid 8 rates of postage;

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of 2 pounds, there shall be charged, taken, and paid two additional rates of postage, and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

6. Every packet which shall be transmitted by the post under the authority of this Warrant, shall be so transmitted in conformity with, and under and subject to, the several orders, directions, regulations, and conditions hereinafter contained (that is to say):

7. No such packet, which in length, or breadth, or depth shall exceed the dimensions of 2 feet, shall be transmitted by the post under the provisions of this Warrant.

8. No pattern or sample being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

9. There shall be no enclosure sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in or with any such packet.

10. There shall be no writing or printing in or upon any such packet or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices.

11. All such packets shall be sent in covers open at the ends, so as to be easy of examination; nevertheless samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in bags of linen or of other

material; but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

12. If any packet sent, or tendered, or delivered, in order to be sent by the post under the provisions of this Warrant, shall in length or breadth or depth exceed the dimensions of 2 feet, or shall consist wholly of patterns or samples of any intrinsic value, as in the 8th clause of this Warrant mentioned, or if there shall be any writing or printing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices, or if any such packets shall not be sent in covers open at the ends, so as to be easy of examination (except samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, and which may be enclosed in bags of linen or of other material), or in case of bags being used, if such bags shall be so closed that they cannot be readily opened, every such packet shall be chargeable and shall be treated in all respects as a letter.

13. If any packet sent, or tendered, or delivered, in order to be sent by the post, under the provisions of this Warrant, shall contain any enclosure sealed or otherwise closed against inspection, or any other enclosure not authorized by this Warrant, every such enclosure may be taken out by any officer of the Post Office, and, at the option of the Postmaster-General, shall be either returned or given up to the sender thereof, or be forwarded to the address on the packet, charged not only with the full rates of postage as an unpaid letter, but also in the case of packets transmitted by the post under the provisions of the 1st, 2nd, and 4th clauses of this Warrant, with a further and additional rate of postage of 3*d.*, and, in the case of packets transmitted by the post under the provisions of the 3rd clause of this Warrant, with a further and additional rate of postage of 4*d.*, and the remainder of the packet, if duly prepaid by stamps, may be forwarded to the place of its address without any extra charge.

14. The postage of all such packets as aforesaid, posted in the United Kingdom, shall, in every case, be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, and the postage of all such packets as aforesaid, posted in *Malta*, or in *Alexandria*, *Cairo*, or *Suez*, shall also, in every case, be paid at the time of the same being posted, either in money or by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall, in every case, be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value



or amount of the postage duty payable thereon under or by virtue of this Warrant.

15. If any packet sent, or tendered, or delivered, in order to be sent by the post under the provisions of this Warrant, shall be posted in the United Kingdom, addressed to *Malta*, without having thereon or affixed thereto any postage stamp, or shall be posted in *Malta* addressed to the United Kingdom, without any postage having been paid thereon, either in money or in postage stamps, every such respective packet shall be forwarded charged with a postage of double the amount of postage to which it would have been liable under and by virtue of this Warrant if the postage had been paid when posted.

16. If any packet sent, or tendered, or delivered, in order to be sent by the post, under the provisions of this Warrant, shall be posted in the United Kingdom, addressed to *Alexandria*, *Cairo*, or *Suez*, without having thereon or affixed thereto any postage stamp, or having thereon or affixed thereto a postage stamp or stamps, the value of which shall be less in amount than the single rate of postage payable under this Warrant, on a packet not exceeding 4 ounces in weight, every such respective packet shall be detained and opened, and either returned or given up to the sender thereof.

17. If any packet sent, or tendered, or delivered, in order to be sent by the post under the provisions of this Warrant, shall be posted in the United Kingdom, addressed to *Shanghai*, or any other port in *China* at which the British mail packet-boat calls, or to any foreign port on the *Western Coast of Africa* at which the British mail packet-boat calls, without the postage payable thereon being paid at the time of the same being posted, by means of the proper postage stamp or stamps being affixed thereto, every such respective packet shall be detained and opened, and returned or given up to the sender thereof.

18. If any packet sent, or tendered, or delivered in order to be sent by the post, under the provisions of this Warrant, shall be posted in *Alexandria*, *Cairo*, or *Suez*, addressed to the United Kingdom, without any postage having been paid thereon, either in money or in postage stamps, or with a postage paid thereon in money or in postage stamps, less in amount than the single rate of postage payable under this Warrant, on a packet not exceeding 4 ounces in weight, every such respective packet shall be forwarded, charged with the full rates of postage, as an unpaid letter.

19. If any packet sent, or tendered, or delivered in order to be sent by the post, under the provisions of this Warrant, shall be posted in the United Kingdom, addressed to *Malta*, having thereon or affixed thereto a stamp or stamps, the value of which shall be less in amount than the rate of postage to which such packet would be liable under and by virtue of this Warrant, or shall be posted in the United Kingdom, addressed to *Alexandria*,



*Cairo*, or *Suez*, having thereon or affixed thereto a stamp or stamps, the value of which shall be less in amount than the rate of postage to which such packet would be liable, under and by virtue of this Warrant, but equal in amount to the single rate of postage payable under this Warrant, on a packet not exceeding 4 ounces in weight, or shall be posted in *Malta*, addressed to the United Kingdom, with a postage paid thereon in money or in postage stamps less in amount than the rate of postage to which such packet would be liable under this Warrant, or shall be posted in *Alexandria*, *Cairo*, or *Suez*, addressed to the United Kingdom, with a postage paid thereon in money or in postage stamps less in amount than the rate of postage to which such packet would be liable under this Warrant, but equal in amount to the single rate of postage payable thereon, every such respective packet shall be forwarded, charged with the amount of the difference between the postage paid thereon or the value of such stamp or stamps so being thereon, or affixed thereto, and the postage to which such packet would be liable as aforesaid, together with a further and additional rate of postage of 3*d.*

20. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be despatched in due course of the post, or (at his option) until the despatch of the mail next after that by which the same ought, in due course of the post, to be forwarded by him.

21. In all cases in which any question shall hereafter arise whether any packet, or any pattern or sample contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

And whereas the Commissioners of Her Majesty's Treasury, by a certain Warrant, in writing, under their hands, bearing date at Whitehall, Treasury Chambers, the 26th day of December, 1861,\* did order and direct (amongst other things) that packets consisting of patterns of merchandize, of no intrinsic value, might be transmitted by the post between the island of *Malta* and any part of *France* or *Algeria*, in conformity with, and under and subject to the same or the like orders, directions, regulations, and conditions as were then in force, and subject to the same or the like rates of postage as were chargeable and payable in respect of printed papers, transmitted by the post between *Malta* and *France* or *Algeria*, in and by the therein recited

\* See Vol. 11. Page 212.

Warrant, bearing date the 20th day of December, 1856;\* and the said Commissioners did also direct (amongst other things) that packets, consisting of patterns of merchandize transmitted by the post under the authority of the now reciting Warrant, between *Malta* and any place in *France* or *Algeria*, should not bear or have thereon any writing other than the address of the person for whom they are intended, except a manufacturer's or trade mark or number or price.

And whereas the Commissioners of Her Majesty's Treasury, by a certain other Warrant, in writing, under their hands, bearing date at Whitehall, Treasury Chambers, the 22nd day of December, 1863,† did order and direct, that all packets consisting of patterns or samples of merchandize of no intrinsic value, posted in the United Kingdom addressed to *Italy*, or posted in *Malta* addressed to *Italy*, might be transmitted by the post from the United Kingdom to *Italy* in closed mails *via France*, and from *Malta* to *Italy* by *French* or by *Italian* mail packet boats, subject to the several rates of postage, and to the several regulations therein respectively mentioned and contained. And the said Commissioners did order and direct (amongst other things) that there should be no writing or marks of any description, in or upon any packet transmitted by the post, under the authority of the now reciting Warrant, or on the cover thereof, except the address of the person for whom it is intended, a trade mark and number and price.

22. Now we do hereby further order and direct that, notwithstanding anything in the said recited Warrant of the 26th day of December, 1861, and the 22nd day of December, 1863, respectively contained to the contrary, packets consisting of patterns of merchandize transmitted by the post under the authority of the said last mentioned Warrants between the Island of *Malta* and any part of *France* or *Algeria* from the United Kingdom to *Italy*, and from *Malta* to *Italy* may, in addition to bearing or having thereon in writing the address of the person for whom they are intended, and a manufacturer's or trade mark, or number or price, bear or have thereon the address of the sender thereof.

23. The term "foreign port" used in this Warrant shall include any foreign places on the western coast of Africa, and also any foreign islands situate within the distance of 50 miles from the same coast; and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty, chapter 96.

24. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at

\* See Vol. 10. P. 136.

† See Page 578.

any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

25. This Warrant shall come into operation on the 1st day of April, 1865.

Whitehall, Treasury Chambers, the 16th day of March, 1865.

E. H. KNATCHBULL-HUGESSEN.  
LUKE WHITE.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters transmitted between the Cape of Good Hope, Natal, St. Helena, Ascension, or the Mauritius, and the East Indies, China, or Australia, and also on Letters between Australia and the East Indies or China. June 1, 1865.\**

WHEREAS by an Act passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the regulation of the duties of Postage,"† it is enacted that it shall be lawful for the Commissioners of Her Majesty's Treasury, from time to time, at any time after the passing of that Act, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof and a scale of weight to be contained in such Warrant.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act of Parliament passed in the 11th year of the reign of Her present Majesty, intituled "An Act for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office."‡

And whereas, by a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 19th day of September, 1855,§ certain rates of packet postage were fixed and made chargeable and payable upon letters transmitted by the post direct by British packet boat between any ports in the *British Colonies*, or between any ports in the *British Colonies*, and any *Foreign* port (not in any such cases passing through the United Kingdom), and it is expedient to alter certain of the said rates on certain letters transmitted as hereinafter

\* *Repealed*, as regards letters between Ceylon and Australia, by Warrant January 24, 1866.

† See Vol. 5. Page 248. ‡ See Vol. 8. Page 247. § See Vol. 10. Page 397.

mentioned, and to fix certain other rates in lieu thereof as hereinafter contained.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers vested in us in and by the said recited Acts, and each of them, and of all other powers enabling us in this behalf, do, by this Warrant (under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided) order and direct as follows:

1. That on every letter not exceeding half an ounce in weight transmitted by the post direct by British packet boat, or partly by British packet boat and partly by *French* packet boat, between any port in the *Cape of Good Hope*, *Natal*, *St. Helena*, *Ascension*, or the *Mauritius*, and any port in the *East Indies*, *China*, or *Australia*, or between any port in *Australia* and any port in the *East Indies* or *China* (not in any such cases passing through the United Kingdom), there shall be charged and taken a packet rate of postage of 10*d*.

2. That on every letter, transmitted as is mentioned in this Warrant, exceeding half an ounce in weight, there shall be charged, taken, and paid, progressive and additional rates of postage as follows; that is to say:

On every such letter exceeding half an ounce in weight and not exceeding 1 ounce in weight, 2 rates of postage;

On every such letter exceeding 1 ounce and not exceeding 1 ounce and the half of another ounce in weight, 3 rates of postage;

On every such letter exceeding 1 ounce and the half of another ounce and not exceeding 2 ounces in weight, 4 rates of postage.

And for every half of an ounce in weight above the weight of 2 ounces, there shall be charged and taken 1 additional rate of postage, and every fraction of half an ounce above the weight of 2 ounces shall be charged as one additional half of an ounce, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding half an ounce in weight.

3. That the rates of postage chargeable on such letters as aforesaid, for the sea conveyance thereof, shall be charged in addition to any inland colonial rates that may be payable thereon.

4. That nothing in this Warrant contained shall in anywise alter, prejudice, or affect the exemptions and privileges granted by the said recited Act, passed in the 4th year of the reign of Her present Majesty, nor in anywise prejudice or affect the privilege which officers, seamen, and soldiers employed in Her Majesty's service now by law enjoy of sending and receiving letters by the post, subject to the regulations and restrictions in respect of the same.



5. That the term "*East Indies*," used in this Warrant, shall be construed to mean every port in Her Majesty's dominions in *Asia* (*China*, the *Mauritius*, *Java*, *Borneo*, and *Australia* excepted), and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her present Majesty.

6. That so much of the said recited Warrant of the 19th day of September, 1855, as relates to or affects letters transmitted by the post direct by British packet-boat between any port in the *Cape of Good Hope*, *Natal*, *St. Helena*, *Ascension*, or the *Mauritius* and any port in the *East Indies*, *China*, or *Australia*, or between any port in *Australia* and any port of the *East Indies* or *China* (not in any such cases passing through the United Kingdom) is hereby repealed.

7. That this Warrant shall come into operation on the 1st day of September, 1865.

8. That it shall be lawful for the Commissioners for the time being of Her Majesty's Treasury, or any two of them, by Warrant under their hands, at any time hereafter, to alter or repeal any of the rates hereby altered, or the regulations hereby made, and to make and establish any new or other rates or regulations in lieu thereof, and from time to time to appoint at what time the rates that may be payable are to be paid.

Whitehall, Treasury Chambers, the 1st day of June, 1865.

LUKE WHITE.

W. P. ADAM.

BRITISH ORDER IN COUNCIL, *respecting the non-return of British Subjects sent out of China.* September 12, 1863.

*At the Court at Windsor, the 12th day of September, 1863.*

PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by two several Orders of Her Majesty in Council for the government of Her Majesty's subjects being within the dominions of the Emperor of China, or being within any ship or vessel at a distance of not more than 100 miles from the coast of China, bearing date the 13th day of June, 1853,\* and the 2nd day of February, 1857,† respectively, Her Majesty was pleased (among other things) to give authority to any of Her Majesty's Consuls within the dominions of the Emperor of China to cause any British subject, who after having been twice convicted of, and punished for, any crime or offence, shall not be able to find good and sufficient security for his good behaviour,

\* See Vol. 9. Page 210.

† See Vol. X. Page 732.

or who may be convicted before such Consul of any of certain particular crimes therein enumerated, to be sent out of the dominions of the Emperor of China, in the manner therein mentioned.

And whereas it is expedient to make further provision against the return of any such British subject so sent out of the dominions of the Emperor of China as aforesaid :

Now, therefore, Her Majesty by virtue of all powers, enabling Her in this behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows :

I. It shall not be lawful for any person who shall hereafter be sent out of the dominions of the Emperor of China by any of Her Majesty's Consuls within the said dominions under and by virtue of the authority given to such Consuls by the said Orders in Council of the 13th day of June, 1853, and the 2nd day of February, 1857, respectively, or under and by virtue of this present Order, afterwards to return to, and again take up his abode within, any part of the said dominions, without Her Majesty's permission, to be signified in writing by one of Her Majesty's Principal Secretaries of State.

II. If any such person shall return to, and take up his abode within any part of the said dominions contrary to this present Order, he shall, if duly summoned to appear and answer for so doing before any of the said Consuls, be punishable by a fine not exceeding 200 dollars, or by imprisonment, for a term not exceeding one calendar month ; and, in addition to such punishment, every such person shall be bound to find good and sufficient security, to the satisfaction of the Consul, for his future good behaviour ; and, in the event of his failing so to do, it shall be lawful for the said Consul at any time afterwards to cause him to be again sent out of the dominions of the Emperor of China, in the manner by the said Orders in Council of the 13th day of June, 1853, and the 2nd day of February, 1857, respectively, provided in that behalf.

ARTHUR HELPS.

BRITISH ORDER IN COUNCIL, *repealing the Orders of 30th August, 1862, and 9th January, 1863, which permitted British Subjects to enter the Military and Naval Service of the Emperor of China.* March 1, 1864.

*At the Court of Windsor, the 1st day of March, 1864.*

PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Order, dated the 30th day of August, 1862,\*

\* See Vol. 11. Page 665.

Her Majesty was pleased, by and with the advice of Her Privy Council, to order that from and after the 1st day of September then next, it should be lawful for Horatio Nelson Lay, one of Her Majesty's subjects, and Sherard Osborne, a Captain in Her Majesty's Navy, to enter into the military and naval service of the Emperor of China, and to accept any commission, warrant, or other appointment under the said Emperor, and to accept any money, pay, or reward for their services, and to fit out, equip, purchase, and acquire ships or vessels of war for the use of the said Emperor, and to engage and enlist British subjects to enter the military and naval service of the said Emperor: and it was thereby further ordered, that it should be lawful for every British subject to enlist and enter himself by engaging and enlisting himself with the said Horatio Nelson Lay and Sherard Osborne, and no other person or persons whatsoever, in the military and naval service of the said Emperor, and to serve the said Emperor in any military, warlike, or other operations, either by land or by sea, and for that purpose to go to any place or places beyond the seas, and to accept any commission, warrant, or other appointment from or under the said Emperor, and to accept any money, pay, or reward for his service: Provided always, that the licence and permission thereby given should be in force only for the term of two years from the said 1st day of September then next, unless, by order in Council made in manner aforesaid, such period should be further extended:

And whereas by another Order in Council, dated the 9th day of January, 1863,\* Her Majesty was further pleased, by and with the advice of Her Privy Council, to order that from and after the 16th day of December, 1862, it should be lawful for all military officers in Her Majesty's service to enter into the military service of the said Emperor, and to accept any commission, warrant, or other appointment under the said Emperor, and to accept any money, pay, or reward for their services: and it was thereby ordered, that it should be lawful for all officers in Her Majesty's military service to serve the said Emperor in any military, warlike, or other operations, and for that purpose to go to any place or places beyond the seas, and to accept any commission, warrant, or other appointment from or under the said Emperor, and to accept any money, pay, or reward for their services: Provided always, that the licence and permission thereby given should be in force only until the 1st day of September, 1864, unless by Order in Council made in manner aforesaid, such period should be further extended:

And whereas it has seemed fit to Her Majesty to revoke the said Orders:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, is pleased to order, and it is hereby ordered, that

\* See Vol. 11. Page 683.

so far as relates to any acts to be done in Great Britain or Ireland, the said several Orders in Council, bearing date respectively the 30th day of August, 1862, and the 9th day of January, 1863, shall be, and the same are hereby revoked as from the day of the date of this present Order; and that, so far as relates to any acts to be done within the dominions of the Emperor of China, or elsewhere than in the United Kingdom of Great Britain and Ireland, the said several Orders in Council, bearing date respectively the 30th day of August, 1862, and the 9th day of January, 1863, shall be, and the same are hereby revoked, as from the expiration of 3 calendar months from the day of the date of this present Order.

[ARTHUR HELPS.

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**BRITISH ORDER IN COUNCIL,** *prohibiting British Subjects from taking any part in operations of War against the Emperor of China. July 9, 1864.*

*At the Court at Windsor, the 9th day of July, 1864.*

PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS by an Act passed in the session of the 6th and 7th years of Her Majesty's reign (cap. 80), intituled "An Act for the better government of Her Majesty's subjects resorting to China,\*" power was given to Her Majesty to authorize the Superintendent of the Trade of Her Majesty's subjects in China (so long as such Superintendent should be also the Governor of the island of Hong Kong) to enact, with the advice of the Legislative Council of the said island of Hong Kong, all such laws and ordinances as might from time to time be required for the peace, order, and good government of Her Majesty's subjects, being within the dominions of the Emperor of China, or being within any ship or vessel at a distance of not more than 100 miles from the coast of China, and to enforce the execution of such laws and ordinances by such penalties and forfeitures as to him, by the advice aforesaid, should seem fit; and it was (amongst other things) enacted that it should be lawful for Her Majesty to disallow, in the whole or in part, any laws or ordinances so to be enacted as aforesaid, and with the advice of Her Majesty's Privy Council to alter the same, or any of them, as to Her Majesty in Council should seem meet; and that it should also be lawful for Her Majesty by any Order or Orders made, with the advice of Her Majesty's Privy Council, to ordain for the government of Her Majesty's subjects, being within the dominions of the

\* See Vol. 6. Page 251.



Emperor of China, or being within any ship or vessel at a distance of not more than 100 miles from the coast of China, any law or ordinance which to Her Majesty in Council might seem meet, as fully and effectually as any law or ordinance could be made by Her Majesty in Council for the government of Her Majesty's subjects, being within the said island of Hong Kong;

And whereas under and by virtue of the said Act, and of a certain other Act passed in the same session of Parliament (cap. 94), intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual,"\* Her Majesty was pleased by an Order in Council bearing date the 13th day of June, 1853,† to make provision for the good government of Her Majesty's subjects resorting to China, and for certain other purposes therein mentioned; and thereby (amongst other things) Her Majesty's Superintendent of British Trade in China, for the time being, was authorized and empowered to make and enforce, by fine and imprisonment, rules and regulations for the observance of the stipulations of Treaties, and for the peace, order, and good government of Her Majesty's subjects, being within the dominions of the Emperor of China, or being within any British ship or vessel at a distance of not more than 100 miles from the coast of China; and Her Majesty was thereby further pleased (among other things) to give authority to any of Her Majesty's Consuls within the dominions of the Emperor of China, to cause any British subject, who, after having been twice convicted of and punished for any crime or offence, should not be able to find good and sufficient security for his good behaviour, or who might be convicted before such Consul of any of certain particular crimes therein enumerated, to be sent out of the dominions of the Emperor of China, in the manner therein mentioned;

And whereas by another Order in Council, passed on the 12th day of September, 1863,‡ Her Majesty was pleased to order, that it should not be lawful for any person who should thereafter be sent out of the dominions of the Emperor of China by any of Her Majesty's Consuls, under and by virtue of the said Order of the 13th day of June, 1853, and of another Order dated the 2nd day of February, 1857,§ respectively, or under and by virtue of the said Order now in recital, afterwards to return to and again take up his abode within any part of the said dominions, without Her Majesty's permission, to be signified as therein mentioned; and any such person so returning to, and taking up his abode within any part of the said dominions, was thereby made punishable, by fine or imprison-

\* See Vol. 6. Page 500. † See Vol. 9. Page 210. ‡ See Page 275.

§ See Vol. 10. Page 732.

ment, and liable to be again sent out of the dominions of the Emperor of China, at any time afterwards, in default of finding good and sufficient security for his future good behaviour, in the manner therein particularly mentioned ;

And whereas by a certain Ordinance made and passed on the 17th day of January, 1855 (No.1),\* by His Excellency Sir John Bowring, Knight, then Governor and Commander-in-Chief of the said Colony of Hong Kong and its dependencies, and Her Majesty's Plenipotentiary and Chief Superintendent of the trade of British subjects in China, with the advice of the Legislative Council of Hong Kong, it was enacted, that it should be a misdemeanor, punishable by not more than two years' imprisonment, or by a fine not exceeding 5,000 dollars (such punishment to be accumulative or not, at the discretion of the adjudicating tribunal), for any British subject, within any part of China, to assist either the existing Chinese Government, or any or either of the different factions then engaged, or who might be thereafter engaged, in opposition to the Government, by personal enlistment in the service of either of the said several parties, or by procuring other persons to enlist in such service, or by furnishing, selling, or procuring warlike stores of any description, or by fitting out vessels, or by knowingly and purposely doing any other act to assist either party, by which neutrality might be violated ; and that the tribunal for adjudicating on offences, of the description intended to be thereby dealt with, should consist of a Consular Officer in charge of a Consulate, and two Assessors of Her Majesty, resident within the Consulate ;

And whereas it is expedient that the said Ordinance of the 17th day of January, 1855, should be explained and amended, and that further provisions should be made to prevent the participation of British subjects within the dominions of the Emperor of China, in acts of war or rebellion against the authority of the said Emperor ;

Now, therefore, Her Majesty, by virtue of all powers enabling Her in this behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :

1. Nothing in the said Ordinance made and passed on the 17th day of January, 1855, shall extend or apply, or be deemed to have extended, or to have been applicable, to any British subject who at any time heretofore may have assisted, or may hereafter assist, the Government of the Emperor of China, by the means in the same Ordinance mentioned, or otherwise howsoever, by or under the leave or licence of Her Majesty, or by or under the authority of any Order of Her Majesty in Council, at any time heretofore made, or to be hereafter made.

\* See Vol. 10. Page 61.

2. If any subject of Her Majesty, within any part of the dominions of the Emperor of China, shall, at any time after the publication of this present Order, in Her Majesty's Colony of Hong Kong, levy war, or take part in any operations of war, against the Emperor of China, or aid or abet any persons who are or who may be engaged in carrying on war or rebellion or insurrection against the said Emperor, such person shall be liable to the several penalties mentioned in the said Ordinance of the 17th day of January, 1855, and shall further be liable to be sent out of the dominions of the Emperor of China; and, in case of his afterwards returning within the same, shall be liable to be proceeded against and punished, and to be again sent out of the said dominions, and so from time to time, in the same manner in all respects as is provided by the said Orders in Council of the 13th day of June, 1853, and the 12th day of September, 1863, respectively, concerning the persons liable to be sent out of the said dominions under those respective Orders.

3. Every person offending against this present Order may be proceeded against in the same manner in all respects as is provided by the said Order of the 13th day of June, 1853, concerning persons offending against any rules or regulations duly made under and by virtue thereof by Her Majesty's Superintendent of British Trade in China for the time being.

And the Right Honourable Earl Russell, and the Right Honourable Edward Cardwell, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein, as to them may respectively appertain.

ARTHUR HELPS.

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BRITISH ORDER IN COUNCIL, *for the Government of British Subjects in China and Japan.* March 9, 1865.

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*At the Court at Windsor, the 9th day of March, 1865.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS an Act of Parliament was passed in the Session of the 6th and 7th years of Her Majesty's reign (cap. 80)\* "For the better government of Her Majesty's subjects resorting to China:"

And whereas by that Act it was enacted (among other things) that it should be lawful for Her Majesty, by any Order or Orders made with the advice of Her Privy Council, to ordain

\* See Vol. 6. Page 251.

for the government of Her Majesty's subjects being within the dominions of the Emperor of China, or being within any ship or vessel at a distance of not more than 100 miles from the coast of China, any law or ordinance which to Her Majesty in Council might seem meet, as fully and effectually as any such law or ordinance could be made by Her Majesty in Council for the government of Her Majesty's subjects being within Her Majesty's Island of Hong Kong:

And whereas another Act of Parliament was passed in the same session (cap. 94) \* "To remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual," (to which Act the expression "The Foreign Jurisdiction Act" when hereafter used in this Order refers):

And whereas by the Foreign Jurisdiction Act it was enacted (among other things) that it was and should be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty then had or might at any time thereafter have within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory:

And whereas Her Majesty has had and now has power and jurisdiction in the dominions of the Emperor of China and in the dominions of the Tycoon of Japan:

And whereas Her Majesty was pleased from time to time, by and with the advice of Her Privy Council, by Orders in Council of the several dates in the Schedule to this Order specified, to ordain laws and ordinances for the better government of Her Majesty's subjects being within the dominions of the Emperor of China, or being within certain ships or vessels at a distance of not more than 100 miles from the coast of China, and to make provision for the exercise of Her Majesty's power and jurisdiction aforesaid in the dominions of the Emperor of China and of the Tycoon of Japan respectively:

And whereas it has seemed to Her Majesty, by and with the advice of Her Privy Council, to be expedient at the present time to revise the provisions of the said Orders, and to ordain further and other laws and ordinances for the better government of Her Majesty's subjects being within the dominions of the Emperor of China, or being within such ships or vessels as aforesaid, and to make further and other provision for the due exercise of Her Majesty's power and jurisdiction aforesaid, and particularly for the more regular and efficient administration of justice among Her Majesty's subjects resident in or

\* See Vol. 6. Page 500.



resorting to the dominions of the Emperor of China or of the Tycoon of Japan :

And whereas, under the authority of provisions in this behalf in the first-recited Act contained, ordinances for the peace, order, and good government of Her Majesty's subjects being within the dominions of the Emperor of China, or being within certain ships or vessels at a distance of not more than 100 miles from the coast of China, have been from time to time made by the Superintendent of the Trade of Her Majesty's subjects in China (such Superintendent being also the Governor of Hong Kong), with the advice of the Legislative Council of Hong Kong, which Ordinances are known as Consular Ordinances :

And whereas such of those Consular Ordinances as are described in the Schedule to this Order are now in force, wholly or in part, but they are liable to repeal by Order of Her Majesty in Council, and it is expedient that they be repealed, such of their provisions as are not intended to be abrogated being consolidated with this Order :

Now, therefore, Her Majesty, by virtue of the powers in this behalf by the first-recited Act and the Foreign Jurisdiction Act, or either of them, or otherwise, in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :

#### I.—PRELIMINARY.

1. This Order may be cited as The China and Japan Order in Council, 1865.

2. In this Order—

The term "China" means the dominions of the Emperor of China :

The term "Japan" means the dominions of the Tycoon of Japan :

The term "Minister" means the superior diplomatic representative of Her Majesty for the time being, whether Ambassador, Envoy, Minister Plenipotentiary, or Chargé d'Affaires :

The term "Chief Superintendent of Trade" means the Superintendent of the trade of Her Majesty's subjects in China for the time being, or any person for the time being authorized to act as such :

The term "Consular Officer" includes every officer in Her Majesty's Consular Service, whether Consul-General, Consul, Vice-Consul, or Consular Agent, or person authorized to act in any such capacity in China or in Japan :

The term "British vessel" includes every vessel being a British ship within the meaning of The Merchant Shipping Act, 1854,\* or any other Act of Parliament for the time being

\* See Vol. 9. Page 777.

in force for the regulation of merchant shipping—and any vessel owned wholly or in part by any person entitled to be the owner of a British ship in the sense aforesaid,—and any vessel provided with sailing-letters from the Governor or officer administering the Government of Hong Kong, or from the Chief Superintendent of Trade:

The term “Treaty” includes Convention and any Agreement, Regulations, Rules, Articles, Tariff, or other instrument annexed to a Treaty or agreed on in pursuance of any stipulation thereof:

The term “month” means calendar month:

Words importing the plural or the singular may be construed as referring to one person or thing, or more than one person or thing, and words importing the masculine as referring to females (as the case may require).

3. The provisions of this Order relating to British subjects apply to all subjects of Her Majesty, whether by birth or by naturalization.

The provisions of this Order relating to foreigners apply to subjects of the Emperor of China and of the Tycoon of Japan respectively, and subjects or citizens of any State other than China or Japan (not being enemies of Her Majesty).

## II.—GENERAL PROVISIONS RESPECTING HER MAJESTY’S JURISDICTION.

4. All Her Majesty’s jurisdiction exerciseable in China or in Japan for the judicial hearing and determination of matters in difference between British subjects, or between foreigners and British subjects,—or for the administration or control of the property or persons of British subjects,—or for the repression or punishment of crimes or offences committed by British subjects,—or for the maintenance of order among British subjects,—shall be exercised under and according to the provisions of this Order, and not otherwise.

5. Subject to the other provisions of this Order, the civil and criminal jurisdiction aforesaid shall, as far as circumstances admit, be exercised upon the principles of and in conformity with the common law, the rules of equity, the statute law, and other law for the time being in force in and for England, and with the powers vested in and according to the course of procedure and practice observed by and before Courts of Justice and Justices of the Peace in England, according to their respective jurisdictions and authorities.

6. Except as to offences made or declared such by this Order, or by any regulation or rule made under it,—

Any act other than an act that would by a Court of Justice having criminal jurisdiction in England be deemed a crime or

offence, making the person doing such act liable to punishment in England, shall not, in the exercise of criminal jurisdiction under this Order, be deemed a crime or offence making the person doing such act liable to punishment.

### III.—CONSTITUTION OF HER MAJESTY'S COURTS.

#### I.—*The Supreme Court at Shanghai.*

7. There shall be a Court styled Her Britannic Majesty's Supreme Court for China and Japan.

The Supreme Court shall have a seal bearing its style and such device as one of Her Majesty's Principal Secretaries of State from time to time directs.

8. The Supreme Court shall hold its ordinary sittings at Shanghai, or on emergency, at any other place within the district of the Consulate of Shanghai; but may at any time transfer its ordinary sittings to any such place in China as one of Her Majesty's Principal Secretaries of State, or Her Majesty's Minister in China, approves.

9. There shall be one Judge of the Supreme Court.

He shall be appointed by Her Majesty, by warrant under her royal sign manual.

He shall be a subject of Her Majesty (by birth or naturalization), who at the time of his appointment is a member of the bar of England, Scotland, or Ireland, of not less than 7 years' standing, or has filled the office of Assistant Judge, or Law Secretary in the Supreme Court, or the office of Judge or Legal Vice-Consul or Law Secretary in Her Majesty's Consular Service.

10. The Judge may, from time to time, in case of his absence or intended absence from the district of the Consulate of Shanghai, either in the discharge of his duty or with permission of one of Her Majesty's Principal Secretaries of State, or in case of illness, appoint, by writing under his hand and the seal of the Supreme Court, a fit person to be his deputy for the time therein mentioned; but every such appointment shall be revocable, at pleasure, by the Judge, by writing under his hand and the seal of the Supreme Court.

The person so appointed shall, during the continuance of his appointment, have all the like power and authority as the Judge.

11. During a vacancy in the office of Judge, or on emergency, a fit person, approved by one of Her Majesty's Principal Secretaries of State, or (in the absence of notice to Her Majesty's Minister in China of any such approval) by Her Majesty's Minister in China, may temporarily be and act as Acting Judge, with all the power and authority of the Judge.

12. There shall be attached to the Supreme Court—

- (1.) An Assistant Judge.
- (2.) A Law Secretary.

(3.) So many officers and clerks as one of Her Majesty's Principal Secretaries of State from time to time thinks fit.

13. The Assistant Judge shall be appointed by Her Majesty, by warrant under her sign manual.

14. The Assistant Judge shall hear and determine such matters and questions arising in suits and proceedings of a civil nature originally instituted in the Supreme Court as are from time to time specially referred to him by the Judge; but in every such case any party to the suit or proceeding shall be entitled, as of course, to a re-hearing before the Judge.

15. The Assistant Judge shall hear and determine in a summary way such criminal charges originally brought before the Supreme Court as may be lawfully so heard and determined, and as are from time to time referred to him by the Judge.

16. In case of the absence or illness of the Assistant Judge, or during a vacancy in the office of Assistant Judge, or during the temporary employment of the Assistant Judge, in any other capacity, or on emergency, the Judge may, by writing under his hand and the seal of the Supreme Court, appoint the Law Secretary, or any fit person approved by one of Her Majesty's Principal Secretaries of State, or by Her Majesty's Minister in China, to act as Assistant Judge for the time therein mentioned; but every such appointment shall be revocable at pleasure by the Judge, by writing under his hand and the seal of the Supreme Court.

The Law Secretary, or other person so appointed, shall, during the continuance of his appointment, have all the power and authority of the Assistant Judge.

17. The Law Secretary shall be appointed by Her Majesty, by warrant under her royal sign manual.

18. The Law Secretary shall be the Registrar of the Court.

19. The Law Secretary shall hear and determine such matters and questions arising in suits and proceedings of a civil nature originally instituted in the Supreme Court as the Judge from time to time for the despatch of urgent business thinks fit to refer specially to him; but in every such case any party to the suit or proceeding shall be entitled, as of course, to a re-hearing before the Judge.

20. The Law Secretary shall discharge such duties in connexion with the conduct of criminal prosecutions as the Judge from time to time directs.

21. The Law Secretary shall hear and determine in a summary way such criminal charges originally brought before the Supreme Court as may be lawfully so heard and determined, and as the Judge from time to time for the despatch of urgent business thinks fit to refer specially to him.

22. In case of the absence or illness of the Law Secretary, or during a vacancy in the office of Law Secretary, or during the



temporary employment of the Law Secretary in any other capacity, or on emergency, the Judge may, by writing under his hand and the seal of the Supreme Court, appoint any fit person approved by one of Her Majesty's Principal Secretaries of State, or by Her Majesty's Minister in China, to act as Law Secretary for the time therein mentioned; but every such appointment shall be revocable at pleasure by the Judge, by writing under his hand and the seal of the Supreme Court.

The person so appointed shall, during the continuance of his appointment, have all the power and authority of the Law Secretary.

23. The Judge, Assistant Judge, and Law Secretary shall hold office during the pleasure of Her Majesty, but any warrant of appointment to the office of Judge, Assistant Judge, or Law Secretary, shall not be vacated by reason only of a demise of the Crown.

In case at any time Her Majesty thinks fit by warrant under her royal sign manual to revoke the warrant appointing any person to be Judge, Assistant Judge, or Law Secretary,—or while there is a Judge, Assistant Judge, or Law Secretary in office, thinks fit by warrant under her royal sign manual to appoint another person to be Judge, Assistant Judge, or Law Secretary (as the case may be),—then and in every such case, until the warrant of revocation or of new appointment is notified by Her Majesty's Minister in China to the person holding office, all powers and authorities vested in that person shall continue and be deemed to have continued in as full force,—and he shall continue and be deemed to have continued entitled to all the privileges and emoluments of the office as fully,—and all things done by him shall be and be deemed to have been as valid in law,—as if such warrant of revocation or new appointment had not been made.

24. One of Her Majesty's Principal Secretaries of State, and Her Majesty's Ministers in China and Japan respectively, with the approval of the Judge of the Supreme Court in each instance first obtained, may from time to time temporarily attach to the Supreme Court any persons holding appointments as Consuls or Vice-Consuls.

Every person so attached shall discharge such duties in connexion with the court as the Judge from time to time, with the approval of one of Her Majesty's Principal Secretaries of State, directs, and shall have the like power and authority as the Assistant Judge or Law Secretary has, according as in each case the nature of the duties directed to be discharged by the person so attached may require.

## II.—*The Provincial Courts.*

25. Each of Her Majesty's Consuls-General, Consuls, and

Vice-Consuls (holding a commission as such from Her Majesty) resident in China or in Japan (with the exception of Her Majesty's Consul at Shanghai, and with such other exceptions as one of Her Majesty's Principal Secretaries of State at any time thinks fit to make), or any person acting temporarily, with the approval of one of Her Majesty's Principal Secretaries of State, or of Her Majesty's Minister in China or in Japan, as and for a Consul-General, Consul, or Vice-Consul, so commissioned as aforesaid, shall, for and in his own Consular district, hold and form a court styled Her Britannic Majesty's Court [at *Canton*, or as the case may be], hereafter in this Order called a Provincial Court.

Each provincial court shall have a seal bearing its style and such device as one of Her Majesty's Principal Secretaries of State from time to time directs.

#### IV.—JURIES. ASSESSORS.

26. Every male British subject resident in China or Japan, being of the age of 21 years or upwards, being able to speak and read English, having or earning a gross income at the rate of not less than 250 dollars a year,—not being attainted of treason or felony, or convicted of any crime that is infamous (unless he has obtained a free pardon), and not being under outlawry,—shall be qualified to serve on a jury.

27. All persons so qualified shall be liable so to serve, except the following:

Persons in Her Majesty's Diplomatic, Consular, or other civil service in actual employment;

Officers, clerks, keepers of prisons, messengers and other persons attached to or in the service of any of Her Majesty's courts;

Officers and others on full pay in Her Majesty's Navy or Army, or in actual employment in the service of any department connected therewith;

Persons holding appointments in the Civil service, and Commissioned Officers in the Naval or Military service of the Emperor of China or of the Tycoon of Japan;

Clergymen and ministers in the actual discharge of professional duties;

Advocates and attorneys in actual practice;

Physicians, surgeons, and apothecaries in actual practice; and persons disabled by mental or bodily infirmity.

28. On or before the 14th day of September in the year 1865, and on or before the 14th day of January in every subsequent year, each court shall make out a list of the persons so qualified and liable, resident within its district.

The list shall, on or before the 21st day of the same respective month, be affixed in some conspicuous place in the court, and shall be there exhibited until the end of that month, with a

notice annexed that on a day specified, not being sooner than the 7th or later than the 14th day of the then next month, the court will hold a special sitting for the revision of the list.

The court shall hold such special sitting accordingly, and at such sitting, or at some adjournment thereof (of which public notice shall be given), shall revise the list by striking out the name of any person appearing to be not qualified or not liable to serve, and by inserting the name of any person omitted and appearing to be so qualified and liable, either on the application of the person omitted, or on such notice to him as the court thinks fit.

The list shall be finally revised and settled not later than the 21st day of October in the year 1865, and not later than the 21st day of February in every subsequent year, and when settled shall be affixed in some conspicuous place in the court, and be there exhibited during not less than 2 months.

Such list, as settled, shall be brought into use in the year 1865, on the 1st day of November, and in every subsequent year on the 1st day of March, and in every case shall be used as the jury list of the court until the 1st day of March next after the time of its being brought into use.

29. Where, in pursuance of this Order, a jury is ordered, the court shall summon so many of the persons comprised in the jury list, not fewer than 15, as seem requisite.

Any person failing to attend according to such summons shall be liable to such fine, not exceeding 50 dollars, as the court thinks fit to impose.

Any such fine shall not be levied until after the expiration of 14 days. The proper officer of the court shall forthwith give to the person fined notice in writing of the imposition of the fine, and require him within 6 days after receipt of the notice to file an affidavit excusing his non-attendance (if he desires to do so). The court shall consider the affidavit, and may, if it thinks proper, remit the fine.

30. A jury shall consist of 5 jurors.

31. In civil and in criminal cases the like challenges shall be allowed as in England, with this addition—that in civil cases each party may challenge 3 jurors peremptorily.

32. A jury shall be required to give an unanimous verdict.

33. Where a provincial court proceeds, in pursuance of this Order, to hear and determine any case, civil or criminal, with assessors, the court shall nominate and summon as assessors not less than two and not more than 4 indifferent British subjects of good repute, resident in the district of the court.

Where, however, by reason of local circumstances, the court is able to obtain the presence of one fit person only as assessor, the court may sit with him alone as assessor; and where for like reasons the court is not able to obtain the presence of any

fit person as assessor, the court may (notwithstanding anything in this Order) sit without an assessor; but in every such case the court shall record in the minutes of proceedings its reasons for sitting with one assessor only, or without an assessor.

34. An assessor shall not have voice or vote in the decision of the court in any case, civil or criminal; but an assessor dissenting in a civil case from any decision of the court, or in a criminal case from any decision of the court or the conviction or the amount of punishment awarded, may record in the minutes of proceedings his dissent and the grounds thereof; and an assessor dissenting shall be entitled to receive gratis a certified copy of the minutes.

#### V.—JURISDICTION AND AUTHORITIES OF HER MAJESTY'S COURTS.

##### I.—*In General.*

35. All Her Majesty's jurisdiction, civil and criminal, exerciseable in China, shall, for and within the district of the Consulate of Shanghai, be vested exclusively in the Supreme Court as its ordinary original jurisdiction.

36. All Her Majesty's jurisdiction, civil and criminal, exerciseable in China beyond the district of the Consulate of Shanghai and not under this Order vested exclusively in the Supreme Court, and all Her Majesty's jurisdiction, civil and criminal, exerciseable in Japan and not under this Order vested exclusively in the Supreme Court, shall to the extent and in the manner provided by this Order, be vested in the provincial courts each for and within its own district.

37. The Supreme Court shall have, in all matters civil and criminal, an extraordinary original jurisdiction throughout China and Japan, concurrent with the jurisdiction of the several provincial courts, such extraordinary jurisdiction to be exercised subject and according to the provisions of this Order.

38. The Judge of the Supreme Court may, from time to time, visit in a magisterial or judicial capacity any provincial court, and there inquire of, or hear and determine, any case, civil or criminal, pending in that court, or arising within its district, or, from time to time, may appoint the Assistant Judge or the Law Secretary of the Supreme Court to visit in the like capacity and for the like purpose any provincial court.

39. A provincial court may, of its own motion, or on the application of any person concerned, report to the Supreme Court the pendency of any case, civil or criminal, which appears to the provincial court fit to be heard and determined by the Supreme Court.

The Supreme Court shall thereupon direct in what mode and where the case shall be heard and determined, and (notwithstanding anything in this Order) the same shall be so heard and determined accordingly.



40. Every court shall, in the exercise of every part of its respective jurisdiction, be a court of record.

41. The Judge of the Supreme Court may, from time to time, admit fit persons to practise in the Supreme Court as barristers, attorneys, and solicitors, or in any of those capacities.

The Judge of the Supreme Court may, from time to time, subject to the approval of one of Her Majesty's Principal Secretaries of State, make rules for regulating the admission of persons to practise as aforesaid in provincial courts.

42. Her Majesty's Consul at Shanghai shall have all the powers and authorities of the Sheriff of a county in England, with all the privileges and immunities of the office, and as such Sheriff shall be charged with the execution of all decrees, orders, and sentences made and passed by the Supreme Court, on the requisition in that behalf of the Supreme Court.

43. Each provincial court shall execute any writ, order, or warrant issuing from the Supreme Court and directed to the provincial court; and may take security from any person named therein for his appearance, personally or by attorney, according to the writ, order, or warrant; or may cause such person to be taken, in custody or otherwise, to the Supreme Court, or elsewhere in China or Japan, according to the writ, order, or warrant.

44. Any of Her Majesty's Courts in China or in Japan may execute any writ, order, or warrant issuing from the Supreme Court of Hong Kong, and accompanied by a request for such execution in writing under the seal of that Court; and may take security from any person named in any such writ, order, or warrant for his appearance, personally or by attorney, at Hong Kong; or may cause any such person to be taken in custody or otherwise, to Hong Kong, according to the writ, order, or warrant.

45. Any of Her Majesty's Judicial or Consular Officers shall not be liable to an action for the escape of any person taken under any writ, order, or warrant of the Supreme Court of Hong Kong.

46. Her Majesty's several courts in China and Japan shall be auxiliary to one another in all particulars relative to the administration of justice, civil or criminal.

47. Each provincial court shall, every 6 months, furnish to the Supreme Court for China and Japan, a report respecting every case, civil and criminal, brought before it, in such form as the Judge of the Supreme Court from time to time directs.

## II.—*In Civil Matters.*

### *Reconciliation and Arbitration.*

48. Every court may promote reconciliation, and encourage

and facilitate the settlement in an amicable way of any suit or proceeding pending before it.

49. A court may, with the consent of the parties, refer to arbitration the final determination of any suit or proceeding pending before it, or of all matters in difference between the parties, on such terms and with such directions as to appointment of an arbitrator and other things as may seem fit, and may if it thinks fit, take from the parties, or any of them, security to abide by the result of the reference.

In any such case the award shall be final and conclusive.

On the application of any party a decree of the court may be entered in conformity with the award, and such decree shall not be open to any appeal or re-hearing whatever.

50. Every agreement for reference to arbitration or submission to arbitration by consent may, on the application of any party, be made a rule of a court having jurisdiction in the matter of the reference or submission, which court shall thereupon have power and authority to enforce the agreement or submission, and the award made thereunder, and to control and regulate the proceedings before and after the award in such manner and on such terms as may be just.

#### *General Authority of Courts.*

51. The Supreme and every other court shall be a court of law and of equity.

#### *Special Authorities of Courts.*

52. The Supreme and every other court shall be a court of bankruptcy, and as such shall, as far as circumstances admit, have (as to a provincial court, for and within its own district), with respect to British subjects and to their debtors and creditors, being either British subjects or foreigners submitting to the jurisdiction of the court, all such jurisdiction as for the time being belongs to the Court of Bankruptcy and the County Courts in England, or to any other judicial authority having for the time being jurisdiction in bankruptcy in England.

53. The Supreme and every other court shall (as to a provincial court, for and within its own district) have and discharge all the powers, rights, and duties appertaining to the office of coroner in England—summoning when necessary a jury of not less than 3 persons comprised in the jury list of the court.

Any person failing to attend to such summons shall be liable to the like fine, to be levied in the like manner, as in this Order provided with reference to juries in civil and criminal proceedings.

54. The Supreme Court shall be a Vice-Admiralty Court, and as such shall, for and within China and Japan, and for vessels or persons coming to and within China or Japan,

have all such jurisdiction as for the time being ordinarily belongs to Vice-Admiralty Courts in Her Majesty's possessions abroad.

55. The Supreme Court shall, as far as circumstances admit, have in itself exclusively, for and within China and Japan, with respect to British subjects, all such jurisdiction relative to the custody and management of the persons and estates of persons of unsound mind as for the time being belongs to the Lord Chancellor or other person or persons in England intrusted by virtue of Her Majesty's sign manual with the care and commitment of the custody of the persons and estates of persons found by inquisition in England, idiot, lunatic, or of unsound mind.

56. The Supreme Court shall be a court for matrimonial causes, and as such shall, as far as circumstances admit, have in itself exclusively, for and within China and Japan, with respect to British subjects, all such jurisdiction, except the jurisdiction relative to dissolution or nullity or jactitation of marriage, as for the time being belongs to the Court for Divorce and Matrimonial Causes in England.

57. The Supreme Court shall be a court of probate, and as such shall, as far as circumstances admit, have, for and within China and Japan, with respect to the property of British subjects having at the time of death their fixed places of abode in China or Japan, all such jurisdiction as for the time being belongs to Her Majesty's Court of Probate in England.

A provincial court shall, however, also have power to grant probate or administration where there is no contention respecting the right to the grant, and it is proved on oath that the deceased had at the time of his death his fixed place of abode within the jurisdiction of the provincial court.

Probate or administration granted by a provincial court shall have effect over all the property of the deceased within China and Japan, and shall effectually discharge persons dealing with an executor or administrator thereunder, and that notwithstanding any defect afterwards appears in the grant.

Such a grant shall not be impeachable by reason only that the deceased had not at the time of his death his fixed place of abode within the particular jurisdiction.

58. Any person having in his possession or under his control any paper or writing of a deceased British subject being or purporting to be testamentary, shall forthwith bring the original to the court within the district whereof such person is at the time of his first knowledge of the death of the deceased, and deposit it there.

Any person neglecting to do so for 14 days after having knowledge of the death of the deceased, shall be liable to such penalty, not exceeding 250 dollars, as the court thinks fit to impose.

59. From the death of a British subject, having at the time of death his fixed place of abode in China or Japan, intestate,



until administration granted, his personal property within China and Japan shall be vested in the Judge of the Supreme Court, as the personal property of an intestate in England is vested in the Judge of Her Majesty's Court of Probate there.

60. If any person, other than one of Her Majesty's Consular Officers, takes possession of and in any manner administers any part of the personal property of any person deceased without obtaining probate or administration within 3 months after the death of the deceased,—or within one month after the termination of any suit or dispute respecting probate or administration (if there is any such which is not ended within two months after the death of the deceased),—he shall be liable to such penalty not exceeding 500 dollars as the court having jurisdiction in the matter of the property of the deceased thinks fit to impose; and in every such case the same fees shall be payable by the person so administering as would have been payable by him if he had obtained probate or administration.

61. Where a British subject, not having at the time of death his fixed place of abode in China or Japan, dies there, the court within whose district he dies shall, where the circumstances of the case appear to the court so to require, forthwith on the death of the deceased, or as soon after as may be, take possession of his personal property within the particular jurisdiction, or put it under the seal of the court (in either case, if the nature of the property or other circumstances so require, making an inventory), and so keep the property until it can be dealt with according to law.

*Trial with a Jury.*

62. Where a suit originally instituted in the Supreme Court relates to money, goods, or other property or any matter at issue of the amount or value of 1,500 dollars or upwards, or is brought for recovery of damages of the amount of 1,500 dollars or upwards, the suit shall, on the demand of either party, be under order of the court, tried with a jury.

In any case (except where, according to the rules of the court, the suit is to be heard and determined in a summary way) a suit so instituted may be tried with a jury, if the court, of its own motion or on the application of either party, thinks fit so to order.

One of Her Majesty's Principal Secretaries of State may, by order under his hand, extend the present provision to any provincial court where it appears to him there is a sufficient jury list.

*Trial with Assessors.*

63. Where a suit instituted in a provincial court relates to money, goods, or other property of a less amount or value than



1,500 dollars, or does not relate to or involve, directly or indirectly, a question respecting any matter at issue of the amount or value of 1,500 dollars or upwards, or is brought for recovery of damages of a less amount than 1,500 dollars, the court may hear and determine the case without assessors.

In all other cases the court (subject to the provisions of this Order respecting inability to obtain an assessor) shall hear and determine the case with assessors.

*In Criminal Matters.*

64. Every court may cause to be apprehended and brought before it any British subject being within the district of the court and charged with having committed a crime or offence in China or in Japan, and may deal with the accused according to the jurisdiction of the court and in conformity with the provisions of this Order; or where the crime or offence is triable, and is to be tried, in Her Majesty's dominions, may take the preliminary examination, and commit the accused for trial, and cause or allow him to be taken to the place of intended trial.

65. Where a person charged with having committed a crime or offence in the district of one court escapes or removes from that district and is found within the district of another court, the court within the district of which he is found may proceed in the case to examination, indictment, trial, and punishment, or in a summary way (as the case may require), in the same manner as if the crime or offence had been committed in its own district; or may, on the requisition or with the consent of the court of the district in which the crime or offence is charged to have been committed, send him in custody to that court, or require him to give security for his surrender to that court, there to answer the charge and to be dealt with according to law.

Where any person is to be so sent in custody a warrant shall be issued by the court within the district of which he is found, and such warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and carry him to and deliver him up to the court of the district within which the crime or offence was committed, according to the warrant.

66. Where a warrant or order of arrest is issued by a competent authority in Her Majesty's dominions for the apprehension of a British subject, who is charged with having committed a crime or offence within the jurisdiction of the authority issuing the warrant or order, and who is, or is supposed to be, in China or in Japan, and the warrant or order is produced to any court, the court may back the warrant or order; and the same, when so backed, shall be sufficient authority to any person to whom the warrant or order was originally directed, and also to any constable or other officer of the court

by which it is backed, to apprehend the accused at any place where the court by which the warrant or order is backed has jurisdiction, and to carry him to and deliver him up in Her Majesty's dominions, according to the warrant or order.

67. Where any person is charged with the commission of a crime or offence the cognizance whereof appertains to any of Her Majesty's courts in China or in Japan, and it is expedient that the crime or offence be inquired of, tried, determined, and punished within Her Majesty's dominions, the accused may (under The Foreign Jurisdiction Act, section 4)\* be sent for trial to Hong Kong.

The Judge of the Supreme Court may, where it appears expedient, by warrant under his hand and seal and the seal of the Supreme Court, cause the accused to be taken for trial to Hong Kong accordingly.

Where any person is to be so taken to Hong Kong, the court before which he is charged shall take the preliminary examination, and shall send the depositions to Hong Kong, and (if it seems necessary or proper) may bind over such of the proper witnesses as are British subjects in their own recognizances to appear and give evidence on the trial.

68. All crimes which in England are capital shall be tried by the Judge of the Supreme Court with a jury.

Other crimes and offences above the degree of misdemeanour, tried before the Judge, Assistant Judge, or Law Secretary of the Supreme Court, and not heard and determined in a summary way, shall be tried with a jury.

Any crime or offence tried before the Judge, Assistant Judge, or Law Secretary of the Supreme Court, may be tried with a jury where the Judge, Assistant Judge, or Law Secretary so directs.

Subject to the foregoing provisions, such classes of criminal cases tried before the Judge, Assistant Judge, or Law Secretary of the Supreme Court, as the Judge, having regard to the law and practice existing in England, from time to time directs, shall be heard and determined in a summary way.

69. Where any person is sentenced to suffer the punishment of death, the Judge of the Supreme Court shall forthwith send a report of the sentence, with a copy of the minutes of proceedings and notes of evidence in the case, and with any observations the Judge thinks fit, to Her Majesty's Minister in China or in Japan, according as the crime is committed in China or in Japan.

The sentence shall not be carried into execution without the direction of Her Majesty's Minister in China or in Japan (as the case may be) in writing under his hand.

In any such case, if Her Majesty's Minister in China or in Japan (as the case may be) does not direct that the sentence of

\* See Vol. 6. Page 500.

death be carried into execution, he shall direct what punishment in lieu of the punishment of death is to be inflicted on the person convicted, and the person convicted shall be liable to be so punished accordingly.

70. Where the crime or offence with which any person is charged before a provincial court is any crime or offence other than assault endangering life, cutting, maiming, arson, or housebreaking, and appears to the Court to be such that, if proved, it would be adequately punished by imprisonment, with or without hard labour, for a term not exceeding 3 months, or by a fine not exceeding 200 dollars, the court shall hear and determine the case in a summary way and without assessors.

In other cases the court shall hear and determine the case on indictment and with assessors (subject to the provisions of this Order respecting inability to obtain an assessor).

71. A provincial court may impose the punishment of imprisonment for any term not exceeding 12 months, with or without hard labour, and with or without a fine, not exceeding 1,000 dollars, or the punishment of a fine not exceeding 1,000 dollars, without imprisonment.

72. Where the crime or offence with which any person is charged before a provincial court appears to the court to be such that, if proved, it would not be adequately punished by such punishment as the court has power to impose, and the accused is not to be sent for trial to Her Majesty's dominions, the court shall reserve the case to be heard and determined by or under the special authority of the Supreme Court.

The provincial court shall take the depositions, and forthwith send them, with a minute of other evidence, if any, and a report on the case, to the Supreme Court.

The Supreme Court shall direct in what mode and where the case shall be heard and determined, and (notwithstanding anything in this Order) the same shall be so heard and determined accordingly.

73. Every court and authority in imposing and inflicting punishments, and Her Majesty's Ministers in China and Japan in directing what punishment is to be inflicted in lieu of the punishment of death, shall have regard, as far as circumstances admit, and subject to the other provisions of his Order, to the punishments imposed by the law of England in like cases, and to the mode in which the same are inflicted in England.

74. Any court (but, in the case of a provincial court, subject to the approval of the Supreme Court) may order any person convicted before it of any crime or offence to pay all or any part of the expenses of or preliminary to his trial and of his imprisonment, or other punishment.

75. Where it appears to any court that any charge made before it is malicious, or is frivolous and vexatious, the court



may order all or any part of the expenses of the prosecution to be paid by the person making the charge.

76. In either of the two last-mentioned cases, the amount ordered to be paid shall be deemed a debt due to the crown, and may, by virtue of the order, without further proceedings, be levied on the property of the person convicted or making the charge, as the case may be.

77. Where any punishment has been awarded by the Supreme or any other court, then, if the circumstances of the case make it just or expedient, the Judge of the Supreme Court may at any time, and from time to time, report to one of Her Majesty's Principal Secretaries of State, or to Her Majesty's Minister in China or in Japan (according as the crime or offence was committed in China or Japan), recommending a mitigation or remission of the punishment; and on such recommendation any such punishment may be mitigated or remitted by direction of the authority to whom the report is made.

But no such recommendation shall be made with respect to any punishment awarded by a provincial court, except on the recommendation of that court, or on the dissent of an assessor (if any) from the conviction or from the amount of punishment awarded.

78. The Judge of the Supreme Court may, where it seems expedient, by warrant under his hand and the seal of the Supreme Court, cause any offender convicted before any court and sentenced to imprisonment to be taken to and imprisoned at any place in China or in Japan from time to time approved by one of Her Majesty's Principal Secretaries of State as a place of imprisonment for offenders.

A warrant of the Supreme Court shall be sufficient authority to the governor or keeper of such place of imprisonment, or other person to whom it is directed, to receive and detain there the person therein named, according to the warrant.

79. Where any offender convicted before a court in China or in Japan is sentenced to suffer imprisonment in respect of the crime or offence of which he is convicted, and it is expedient that the sentence be carried into effect within Her Majesty's dominions, the offender may (under The Foreign Jurisdiction Act, section 5,) be sent for imprisonment to Hong Kong.

The Judge of the Supreme Court may, where it seems expedient, by warrant under his hand and seal, and the seal of the Supreme Court, cause the offender to be taken to Hong Kong in order that the sentence passed on him may be there carried into effect accordingly.

80. The Judge of the Supreme Court shall, when required by one of Her Majesty's Principal Secretaries of State, send to the Secretary of State a report of the sentence passed by the Judge, Assistant Judge, or Law Secretary of the Court, in



every case not heard and determined in a summary way, with a copy of the minutes of proceedings and notes of evidence, and the Judge may send with such report any observations he thinks fit.

Every provincial court shall forthwith send to the Judge of the Supreme Court a report of the sentence passed by it in every case not heard and determined in a summary way, with a copy of the minutes of proceedings and notes of evidence, and with any observations the court thinks fit. The Judge of the Supreme Court shall, when required by one of Her Majesty's Principal Secretaries of State, transmit the same to the Secretary of State, and may send therewith any observations he thinks fit.

#### VI.—WAR, INSURRECTION, OR REBELLION.

81. If any British subject commits any of the following offences; that is to say:

(1.) In China, while Her Majesty is at peace with the Emperor of China, levies war or takes part in any operation of war against the Emperor of China, or aids or abets any person in carrying on war, insurrection, or rebellion against the Emperor of China;

(2.) In Japan, while Her Majesty is at peace with the Tycoon of Japan, levies war or takes part in any operation of war against the Tycoon of Japan, or aids or abets any person in carrying on war, insurrection, or rebellion, against the Tycoon of Japan;

every person so offending shall be deemed guilty of a misdemeanour, and on conviction thereof shall be liable (in the discretion of the court before which he is convicted) to be punished by imprisonment for any term not exceeding two years, with or without hard labour, and with or without a fine not exceeding 5,000 dollars, or by a fine not exceeding 5,000 dollars, without imprisonment.

In addition to such punishment, every such conviction shall, of itself and without further proceedings, make the person convicted liable to deportation; and the court before which he is convicted may order that he be deported from China or Japan to such place as the court directs.

82. If any British subject, without the licence of Her Majesty (proof whereof shall lie on the party accused), takes part in any operation of war in the service of the Emperor of China against any persons engaged in carrying on war, insurrection, or rebellion against the Emperor of China, he shall be deemed guilty of a misdemeanour, and on conviction thereof shall be liable (in the discretion of the court before which he is convicted) to be punished by imprisonment for any term not exceeding two years, with or without hard labour, and with or

without a fine not exceeding 5,000 dollars, or by a fine not exceeding 5,000 dollars, without imprisonment.

83. If the court before which any person charged with having committed such a misdemeanour as in the last two preceding Articles mentioned is brought, is a provincial court, the court shall report to the Judge of the Supreme Court the pendency of the case.

The Judge of the Supreme Court shall thereupon direct in what mode and where the case shall be heard and determined, and (notwithstanding anything in this Order) the case shall be so heard and determined accordingly.

#### VII.—TREATIES AND REGULATIONS.

84. If any British subject in China or in Japan violates or fails to observe any stipulation of any Treaty between Her Majesty, Her heirs or successors, and the Emperor of China or the Tycoon of Japan, for the time being in force, in respect of the violation whereof any penalty is stipulated for in the Treaty, he shall be deemed guilty of an offence against the Treaty, and on conviction thereof under this Order shall be liable to a penalty not exceeding the penalty stipulated for in the Treaty.

85. Her Majesty's Minister in China may from time to time make such regulations as seem fit for the peace, order, and good government of British subjects resident in or resorting to China, and for the observance of the stipulations of Treaties between Her Majesty, Her heirs or successors, and the Emperor of China, and for the maintenance of friendly relations between British subjects and Chinese subjects and authorities, and may make any such regulations apply either throughout China or to some one or more of the Consular districts in China, and may by any such regulations repeal or alter any regulations made for any such purpose as aforesaid before the commencement of this Order.

Any such regulations shall not have effect unless and until they are approved by Her Majesty, such approval being signified through one of Her Majesty's Principal Secretaries of State; save that in case of urgency, declared in any such regulations, the same shall have effect unless and until they are disapproved by Her Majesty, such disapproval being signified through one of Her Majesty's Principal Secretaries of State, and notification of such disapproval is received and published by Her Majesty's Minister in China.

86. Such regulations may impose penalties for offences against the same, as follows, namely—for each offence imprisonment for any term not exceeding three months, with or without hard labour, and with or without a fine not exceeding 500 dollars, or a fine not exceeding 500 dollars, without imprison-

ment; and with or without further fines for continuing offences, not exceeding in any case 25 dollars for each day during which the offence continues after the original fine is incurred; but so that all such regulations be so framed as to allow in every case of part only of the maximum penalty being inflicted.

87. All such regulations shall be printed, and a printed copy thereof shall be affixed and at all times kept exhibited conspicuously in the public office of each Consular Officer in China, to whose district the regulations apply.

Printed copies of the regulations applicable to each district shall be provided and sold therein at such reasonable price as Her Majesty's Minister in China from time to time directs.

88. No penalty shall be enforced in any Consular district for any offence against any such regulation, until the regulation has been so affixed and kept exhibited in the public office of the Consular Officer for that district during one month.

89. For the purpose of convicting any person committing an offence against any such regulation, and for all other purposes, a printed copy of the regulation, purporting to be certified under the hand of Her Majesty's Minister in China, or under the hand and Consular seal of one of Her Majesty's Consular Officers in China, shall be conclusive evidence of the regulation; and no proof of the handwriting or seal purporting to certify the same shall be required.

90. The foregoing provisions, relative to the making, printing, publication, enforcement, and proof of regulations in and for China shall extend and apply, *mutatis mutandis*, to the making, printing, publication, enforcement, and proof of regulations in and for Japan, with the substitution only of Japan for China, and of the Tycoon of Japan for the Emperor of China, and of Her Majesty's Minister in Japan for Her Majesty's Minister in China, and of Her Majesty's Consular Officers in Japan for Her Majesty's Consular Officers in China.

91. Any charge under this Order of an offence against any Treaty, or against any such regulation as aforesaid, shall be inquired of, heard and determined in like manner in all respects as any ordinary criminal charge may be inquired of, heard and determined under this Order, subject only to this qualification, that (notwithstanding anything in this Order) every charge of an offence against any Treaty, or against any regulation for the observance of the stipulations of any Treaty, shall be heard and determined in a summary way, and (where the proceeding is before a provincial court) without assessors.

#### VIII.—UNLAWFUL TRADE WITH JAPAN.

92. All trade of British subjects in, to, or from any part of Japan, except such ports and towns as are for the time being open



to British subjects by Treaty between Her Majesty, Her heirs or successors, and the Tycoon of Japan, is hereby declared unlawful.

If any person engages in such trade as a principal, agent, shipowner, ship-master, or supercargo, he shall be deemed guilty of a misdemeanour, and on conviction thereof shall be liable to be punished (in the discretion of the court before which he is convicted) by imprisonment for any term not exceeding two years with or without hard labour, and with or without a fine not exceeding 10,000 dollars, or by a fine not exceeding 10,000 dollars without imprisonment.

93. If the court before which any person charged with having committed such a misdemeanor is brought is a provincial court, the court shall report to the Judge of the Supreme Court the pendency of the case.

The Judge of the Supreme Court shall thereupon direct in what mode and where the case shall be heard and determined, and (notwithstanding anything in this Order) the case shall be so heard and determined accordingly.

94. The officer commanding any of Her Majesty's vessels of war or any of Her Majesty's naval officers authorized in this behalf by the officer having the command of Her Majesty's naval forces in Japan by writing under his hand, may seize any British vessel engaged, or reasonably suspected of being or having been engaged in any trade by this Order declared unlawful, and may either detain the vessel, with the master, officers, supercargo, crew, and other persons engaged in navigating the vessel, or any of them, or take, or cause to be taken, the vessel, and the master, officers, supercargo, crew, and other persons aforesaid, or any of them, to any port or place in Japan or elsewhere convenient for the prosecution of a charge for the misdemeanor alleged to have been committed.

Any such vessel, master, officers, supercargo, crew, and persons may lawfully be detained at the place of seizure, or at the port or place to which the vessel is so taken under the authority of any such officer, or of any of Her Majesty's Consular Officers in China or Japan, until the conclusion of any proceedings taken in respect of such misdemeanor.

#### IX.—JAPANESE WATERS.

95. When and as often as it appears to Her Majesty's Ministers in Japan that the unrestricted entrance of British vessels into or the unrestricted passage of a British vessels through any strait or other water in Japan may lead to acts of disturbance or violence, or may otherwise endanger the maintenance of peaceful relations and intercourse between Her Majesty's subjects and the subjects of the Tycoon of Japan, Her Majesty's Minister may make any regulation for prohibiting or for restricting in such manner as seems expedient the en-



trance or passage of any British vessel (other than a vessel of war of Her Majesty) into or through any such strait or other water as aforesaid as defined in the Regulation.

Her Majesty's Minister may from time to time revoke or alter any such Regulation.

96. The foregoing provisions of this Order relative to the making, printing, publication, enforcement, and proof of Regulations to be made by Her Majesty's Minister in Japan, and to the mode of proceeding in respect of any charge for an offence against any such Regulations, shall extend and apply, *mutatis mutandis*, to any Regulation made by Her Majesty's Minister in Japan, as last aforesaid.

97. If any person navigating a British vessel wilfully violates, or wilfully attempts to violate, any such Regulation, the officer commanding any vessel of war of Her Majesty, or in charge of any boat belonging to such vessel of war, may use force for the purpose of compelling him to desist from the violation or attempted violation of the Regulation, and if it appears necessary or expedient may seize the vessel; and such commanding officer may either detain her at the place of seizure, or take her, or cause her to be taken, to any port or place in Japan or elsewhere, where the offender may be more conveniently prosecuted for such offence.

Any such vessel may lawfully be detained at the place of seizure, or at the port or place to which she is so taken, under the authority of any such commanding officer, or of any of Her Majesty's Consular Officers in Japan, until the conclusion of any proceedings taken in respect of the offence.

#### X.—PIRACY.

98. Any British subject being in China or in Japan may be proceeded against, tried, and punished under this Order for the crime of piracy wherever committed.

99. If the court before which a British subject charged with the crime of piracy is brought is a provincial court, the court shall report to the Judge of the Supreme Court the pendency of the case.

The Judge of the Supreme Court shall thereupon direct in what mode and where the case shall be heard and determined, and (notwithstanding anything in this Order) the case shall be so heard and determined accordingly.

#### XI.—OFFENCES AGAINST RELIGION.

100. If any British subject is guilty of publicly deriding, mocking, or insulting any religion established or observed in China or in Japan—or of publicly offering any insult to any religious service, feast, or ceremony established or kept in any part of China or in Japan, or to any place of worship, tomb, or

sanctuary belonging to any such religion, or to the ministers or professors thereof—or of wilfully committing any act tending to bring any such religion, or its ceremonies, mode of worship, or observances, into hatred, ridicule, or contempt, and thereby to provoke a breach of the public peace—he shall be liable (in the discretion of the court before which he is convicted) to imprisonment for any term not exceeding two years, with or without hard labour, and with or without a fine not exceeding 500 dollars, or to a fine not exceeding 500 dollars, without imprisonment.

Notwithstanding anything in this Order, every charge against a British subject of having committed any such offence shall be heard and determined in a summary way, and any provincial court shall have power to impose the punishment aforesaid.

Her Majesty's Consular Officers shall take such precautionary measures as seem to them proper and expedient for the prevention of such offences.

## XII.—AUTHORITY WITHIN 100 MILES OF COAST OF CHINA.

101. Where a British subject, being after the commencement of this Order in China or in Japan, is charged with having committed, either before or after the commencement of this Order, any crime or offence within a British vessel at a distance of not more than 100 miles from the coast of China, or within a Chinese or Japanese vessel at such a distance as aforesaid, or within a vessel not lawfully entitled to claim the protection of the flag of any State, at such a distance as aforesaid—any of Her Majesty's courts in China or in Japan within the jurisdiction whereof he is found may cause him to be apprehended and brought before it, and may take the preliminary examination and commit him for trial.

102. If the court before which the accused is brought is a provincial court, the court shall report to the Judge of the Supreme Court the pendency of the case.

The Judge of the Supreme Court shall thereupon direct in what mode and where the case shall be heard and determined, and (notwithstanding anything in this Order) the case shall be so heard and determined accordingly.

103. The provisions of this Order relative to crimes and offences and proceedings in criminal matters, shall, in all respects, as far as may be, extend and apply to every such case, in like manner as if the crime or offence had been committed in China or Japan.

104. Where a British subject, being after the commencement of this Order in Hong Kong, is charged with having committed, either before or after the commencement of this Order, any crime or offence within any British, Chinese, Japanese, or other

such vessel at such a distance as aforesaid, the Supreme Court at Hong Kong, shall have and may exercise authority and jurisdiction with respect to the crime or offence as fully as if it had been committed in Hong Kong.

105. Her Majesty's Minister in China or in Japan, the Judge or Assistant Judge of the Supreme Court, and any of Her Majesty's Consular Officers in China or in Japan, or the Governor or person administering the Government of Hong Kong, on receiving satisfactory information that any soldier, sailor, marine, or other person belonging to any of Her Majesty's military or naval forces, has deserted therefrom, and has concealed himself in any British, Chinese, Japanese, or other such vessel at such a distance as aforesaid, may, in pursuance of such information, issue his warrant for a search after and apprehension of such deserter, and on being satisfied on investigation that any person so apprehended is such a deserter, shall cause him to be with all convenient speed taken and delivered over to the nearest military station of Her Majesty's forces, or to the officer in command of a vessel of war of Her Majesty serving in China or in Japan, as the case may require.

### XIII.—DEPORTATION.

106. (i.) Where it is shown, on oath, to the satisfaction of any of Her Majesty's Courts in China or in Japan, that there is reasonable ground to apprehend that any British subject in China or in Japan is about to commit a breach of the public peace, or that the acts or conduct of any British subject in China or in Japan are or is likely to produce or excite to a breach of the public peace, the court within the jurisdiction whereof he happens to be, may cause him to be brought before it, and require him to give security to the satisfaction of the court to keep the peace, or for his future good behaviour, as the case may require:

(ii.) Where any British subject is convicted, under this Order, of any crime or offence, the court within the jurisdiction whereof he happens to be may require him to give security to the satisfaction of the court for his future good behaviour.

In either of these cases, if the person required to give security fails to do so, the court may order that he be deported from China or Japan to such place as the court directs.

107. In any case where an order of deportation is made under this Order, the court shall not, without the consent of the person to be deported, direct the deportation of any person to any place other than Hong Kong or England.

108. A provincial court shall forthwith report to the Judge of the Supreme Court any order of deportation made by it, and the grounds thereof.

The Judge of the Supreme Court may reverse the order, or



may confirm it with or without variation, and, in case of confirmation, shall direct it to be carried into effect.

109. The person to be deported shall be detained in custody until a fit time and opportunity for his deportation arrives.

The Judge of the Supreme Court shall then (and in the case of a person convicted, either after execution of the sentence, or while it is in course of execution), by warrant, cause him to be taken to the place of deportation.

110. The Judge of the Supreme Court may order that the person to be deported do pay all or any part of the expenses of or preliminary to his deportation.

111. The Judge of the Supreme Court shall forthwith report to one of Her Majesty's Principal Secretaries of State any order of deportation made or confirmed by him, and the grounds thereof, and shall also inform Her Majesty's Ministers in China and Japan of the same.

112. Where any person is deported to Hong Kong, he shall, on his arrival there, be delivered with the warrant under which he is deported, into the custody of the Chief Magistrate of Police of Hong Kong, or other officer of Her Majesty there lawfully acting as such, who, on receipt of the person deported, with the warrant, shall detain him, and shall forthwith report the case to the Governor or person administering the government of Hong Kong, who shall either by warrant (if the circumstances of the case appear to him to make it expedient) cause the person so deported to be taken to England, and in the meantime to be detained in custody (so that the period of such detention do not exceed 3 months), or else shall discharge him from custody.

113. If any person deported returns to China or Japan without the permission of one of Her Majesty's Principal Secretaries of State, in writing under his hand (which permission the Secretary of State may give), he shall be guilty of an offence against this Order, and shall be liable on conviction thereof to punishment (in the discretion of the court before which he is convicted) by imprisonment for any term not exceeding one month, with or without hard labour, and with or without a fine not exceeding 200 dollars, or by a fine not exceeding 200 dollars, without imprisonment, and also to be forthwith again deported in manner hereinbefore provided.

#### XIV.—REGISTRATION OF BRITISH SUBJECTS.

114. Every British subject resident in China or Japan, being of the age of 21 years or upwards, or being married, or a widower or widow, though under that age, shall, in the month of January in the year 1866, and every subsequent year, register himself or herself in a register to be kept at the Consulate of the Consular district within which he or she resides, subject to this qualification, that the registration of a man shall



be deemed to include the registration of his wife (unless she is living apart from him), and that the registration of the head of a family, whether male or female, shall be deemed to include the registration of all females, being relatives of the head of the family (in whatever degree of relationship), living under the same roof with the head of the family at the time of his or her registration.

Every British subject not so resident arriving at any place in China or Japan where a Consular office is maintained, unless borne on the muster roll of a British vessel there arriving, shall within one month after his or her arrival, register himself or herself in a register to be kept at the Consular office,—but so that no such person shall be required to register himself or herself more than once in any year, reckoned from the 1st day of January.

Any person failing so to register himself or herself, and not excusing his or her failure to the satisfaction of the Consular officer, shall not be entitled to be recognized or protected as a British subject in China or Japan, and shall be liable to a fine not exceeding 10 dollars for each instance of such failure.

115. Every person shall on every registration of himself or herself pay a fee of such amount as one of Her Majesty's Principal Secretaries of State from time to time, by order under his hand appoints, such amount either to be uniform for all persons, or to vary according to the circumstances of different classes, as the Secretary of State from time to time by such order directs.

116. The Consular office shall issue to every person so registered a certificate of registration under his hand and Consular seal; and the name of a wife (unless she is living apart from her husband) shall be indorsed on her husband's certificate; and the names and descriptions of females whose registration is included in that of the head of the family shall be indorsed on the certificate of the head of the family.

#### XV.—FOREIGNERS. FOREIGN TRIBUNALS.

117. Where a foreigner desires to institute or take any suit or proceeding of a civil nature against a British subject, the Supreme or other court, according to its jurisdiction, may entertain the same, and where any such suit or proceeding is entertained shall hear and determine it according to the provisions of this Order and of the rules made under it applicable in the case, either by the Judge, Assistant Judge, Law Secretary, or proper Consular officer sitting alone (or with assessors when the case so requires), or if (in any case where a trial with a jury may be had under this Order) all parties desire, or the court thinks fit to direct, a trial with a jury, then, but not otherwise,

by the Judge, Assistant Judge, Law Secretary, or proper Consular officer, with a jury.

118. Where it is shown to any of Her Majesty's courts that the attendance of a British subject to give evidence, or for any other purpose connected with the administration of justice, is required in a Chinese or Japanese court, or before a Chinese or Japanese judicial officer, or in a court or before a judicial officer in China or Japan of any State in amity with Her Majesty, the Court may, in cases and under circumstances which would require the attendance of that British subject before one of Her Majesty's courts in China or Japan, and if it seems to the court just and expedient so to do, make an order for the attendance of the British subject in such court, or before such judicial officer, and for such purpose as aforesaid,—but so that a provincial court shall not have power to make an order for such attendance of a British subject at any place beyond the particular jurisdiction of the court.

Any British subject, duly served with such an order, and with reasonable notice of the time and place at which his attendance is required, failing to attend accordingly, and not excusing his failure to the satisfaction of the court making the order, shall be liable to a fine not exceeding 500 dollars, or to imprisonment for any term not exceeding 1 month, in the discretion of the court.

## XVI.—APPEAL TO SUPREME COURT.

### I.—*In Civil Cases.*

119. Where any decision of a provincial court, sitting with or without assessors, is given in a civil case in respect of a sum or matter at issue of the amount or value of 250 dollars or upwards,—or determines, directly or indirectly, any claim or question respecting property of the amount or value of 250 dollars or upwards,—any party aggrieved by the decision may apply to the provincial court for leave to appeal to the Supreme Court, and shall be entitled to leave on the terms prescribed by the rules made under this Order, and subject to any restrictions and exceptions therein contained.

In any other case the provincial court may, if it seems just and expedient, give leave to appeal on like terms.

In any case the Supreme Court may give leave to appeal on such terms as seem just.

### II.—*In Criminal Cases.*

120. When any person is convicted otherwise than in a summary way of a crime or offence, the court or officer trying the case may, if it seems fit, reserve for the consideration of the Supreme Court any question of law arising on the trial.

The court or officer shall then state a special case setting out the question reserved, with the facts and circumstances on which it arose, and shall send the case to the Supreme Court.

121. Where any person is convicted in a summary way of a crime or offence, and is dissatisfied with the conviction as being erroneous in point of law, the court or officer trying the case may, on his application in writing, and on compliance by him with any terms prescribed by the rules made under this Order, state a special case, setting out the facts and the grounds of the conviction, for the opinion of the Supreme Court, and send it to that court.

122. Where a special case is stated, the court or officer stating it shall, as seems fit, either postpone judgment on the conviction, or respite execution of the judgment, and either commit the person convicted to prison, or take proper security for him to appear and receive judgment, or to render himself in execution (as the case may require) at an appointed time and place.

123. The Supreme Court shall hear and determine the matter, and thereupon shall reverse, affirm, or amend the judgment, conviction, or sentence in question,—or set aside the same, and order an entry to be made in the minutes of proceedings to the effect that, in the judgment of the Supreme Court, the person convicted ought not to have been convicted,—or arrest the judgment,—or order judgment to be given at a subsequent sitting of the court or officer stating the case,—or make such other order as justice requires,—and shall also give all necessary and proper consequential directions.

124. The judgment of the Supreme Court shall be delivered in open court after the public hearing of any argument offered on behalf of the prosecution or of the person convicted.

125. Before delivering judgment, the Supreme Court may, if necessary, cause the special case to be amended by the court or officer stating it.

126. If on an application for a special case, on a summary conviction, it seems to the court or officer that the application is merely frivolous, but not otherwise, the court or officer may refuse to state a case.

A court or officer so refusing shall forthwith send to the Supreme Court a report of the sentence, with a copy of the minutes of proceedings and notes of evidence, and any observations the court or officer thinks fit, and with a copy of the application for a special case.

The Supreme Court shall examine the report and documents so sent, and, unless the Supreme Court is of opinion that the application was merely frivolous, shall, on the application in that behalf of the appellant, if made within one month after the

refusal of a special case, proceed to hear and determine the matter according to the foregoing provisions, as nearly as may be as if a special case had been stated.

#### XVII.—RULES OF PROCEDURE.

127. The Judge of the Supreme Court may, from time to time, frame rules for any purpose for which it is before in this Order expressed or implied that rules of procedure or practice are to be made, and also for the regulation of procedure and pleading, forms of writs, and other proceedings, expenses of witnesses and prosecutions, costs and fees, in civil and in criminal cases, in the Supreme Court and other courts, including the regulation of cross-suits and the admission of counter-claims, and the regulation of proceedings thereon, and for the regulation of appeals to the Supreme Court from the other courts in civil and in criminal cases, and of rehearings before the Judge of the Supreme Court, and may thereby impose unreasonable penalties.

Rules affecting the conduct of civil suits shall be so framed as to secure, as far as may be, that cases shall be decided on their merits, according to substantial justice, without excessive regard to technicalities of pleading or procedure, and without unnecessary delay.

Rules framed by the Judge shall not have effect unless and until they are approved by one of Her Majesty's Principal Secretaries of State,—save that in case of urgency declared in any rules framed by the Judge, with the approval of Her Majesty's Minister in China, the same shall have effect, unless and until they are disapproved by one of Her Majesty's Principal Secretaries of State, and notification of such disapproval is received and published by the Judge.

128. A copy of the rules for the time being in force shall be kept exhibited conspicuously in each court and Consulate in China and Japan.

Printed copies shall be provided and sold at such reasonable price as the Judge of the Supreme Court from time to time directs.

No penalty shall be enforced in any court for the breach of any rule until the rule has been so exhibited in the court for one month.

129. A printed copy of any rule, purporting to be certified under the hand of the Judge of the Supreme Court and the seal of that court, shall be for all purposes conclusive evidence of the due framing, approval, and publication of the contents thereof.

130. From and after the commencement of any rules made by the Judge of the Supreme Court under this Order, all rules and regulations theretofore made by the Chief Superintendent



of Trade in China, or by Her Majesty's Consul-General in Japan, in respect of any matter in respect whereof the Judge of the Supreme Court is by this Order authorized to make rules, shall cease to operate.

#### XVIII.—APPEAL TO HER MAJESTY IN COUNCIL.

131. Where any final decree or order of the Supreme Court is made in a civil case in respect of a sum or matter at issue of the amount or value of 2,500 dollars or upwards,—or determines directly or indirectly any claim or question respecting property of the amount or value of 2,500 dollars or upwards,—any party aggrieved by the decree or order may within 15 days after the same is made, apply by motion to the Supreme Court for leave to appeal to Her Majesty in Council.

132. If leave to appeal is applied for by a party adjudged to pay money or perform a duty, the Supreme Court shall direct either that the decree or order appealed from be carried into execution, or that the execution thereof be suspended, pending the appeal, as the court considers to be in accordance with substantial justice.

133. If the court directs the decree or order to be carried into execution, the party in whose favour it is made shall, before the execution of it, give security to the satisfaction of the court for the due performance of such order as Her Majesty in Council may think fit to make.

134. If the court directs the execution of the decree or order to be suspended pending the appeal, the party against whom the decree is made shall, before any order for suspension of execution, give security to the satisfaction of the court for the due performance of such order as Her Majesty in Council may think fit to make.

135. In all cases security shall also be given by the appellant to the satisfaction of the court to an amount not exceeding 2,500 dollars for the prosecution of the appeal, and for payment of all such costs as may be awarded to any respondent by Her Majesty in Council, or by the Lords of the Judicial Committee of Her Majesty's Privy Council.

136. If the last-mentioned security is given within one month from the filing of the motion paper for leave to appeal, then, and not otherwise, the Supreme Court shall give leave to appeal.

137. In any case other than the cases hereinbefore described, the Supreme Court may give leave to appeal on the terms and in the manner aforesaid if it considers it just or expedient to do so.

138. In every case where leave to appeal is given as aforesaid the appellant shall be at liberty to prefer and prosecute his appeal to Her Majesty in Council according to the rules for the time being in force respecting appeals to Her Majesty in

Council from Her Colonies, or such other rules as Her Majesty in Council from time to time thinks fit to make concerning appeals from the Supreme Court.

139. Nothing in this Order shall affect the right of Her Majesty at any time, on the humble petition of a party aggrieved by a decision of the Supreme Court in a civil case, to admit his appeal thereon on such terms and in such manner as Her Majesty in Council may think fit, and to deal with the decision appealed from in such manner as may be just.

140. Where any judgment, order, or sentence of the Supreme Court is given, made, or passed in the exercise of either original or appellate criminal jurisdiction, the party charged with the crime or offence, if he considers the judgment, order, or sentence to be erroneous in point of law, may appeal therefrom to Her Majesty in Council, provided that the Supreme Court declares the case to be a fit one for such appeal, and that the appellant complies with such conditions as the Supreme Court establishes or requires, subject always to such rules as from time to time Her Majesty in Council thinks fit to make in that behalf.

#### XIX.—GENERAL PROVISIONS.

141. Nothing in this Order shall be deemed to affect Her Majesty's prerogative of pardon.

142. Except as in this Order expressly provided, nothing in this Order shall preclude any of Her Majesty's Consular Officers in China or in Japan from performing any act not of a judicial character, that Her Majesty's Consular Officers there might by law, or by virtue of usage or sufferance, or otherwise, have performed if this Order had not been made.

143. Every one of Her Majesty's Consular Officers shall, as far as there is proper opportunity, promote reconciliation and encourage and facilitate the settlement, in an amicable way, and without recourse to litigation, of matters in difference between British subjects in China or in Japan.

144. Every signature or seal affixed to any instrument purporting to be the signature of the Judge of the Supreme Court, or of any officer or person acting under this Order, or to be the seal of any of Her Majesty's courts in China or in Japan, shall, for all purposes under this Order, without any proof thereof, be presumed to be genuine, and shall be taken as genuine until the contrary is proved.

145. In every case, civil or criminal, heard in any court, proper minutes of the proceedings shall be drawn up, and shall be signed by the judge or officer before whom the proceedings are taken, and sealed with the seal of the court, and shall, where assessors are present, be open for their inspection and for their signature if concurred in by them.

The minutes, with depositions of witnesses and notes of

evidence taken at the trial by the judge or officer, shall be preserved in the public office of the court.

146. In a civil case any court may order such costs, or costs, charges, and expenses, as to the court seem reasonable, to be paid by any party to the proceedings, or out of any fund to which the proceeding relates.

147. Any court, either of its own motion, or in civil cases, on the application of any party to any suit or proceeding or reference, may summon as a witness any British subject in China or Japan,—but so that a provincial court shall have power so to summon British subjects in its own district only.

Any British subject, duly served with such a summons and with reasonable notice of the time and place at which his attendance is required, failing to attend accordingly and not excusing his failure to the satisfaction of the court, shall, over and above any other liability to which he may be subject, be liable to a fine not exceeding 500 dollars, or to imprisonment for any term not exceeding one month, in the discretion of the court.

148. In civil cases any court may, where the circumstances appear to justify it, order that the expenses of a witness, on his appearing to give evidence, shall be defrayed by the parties or any of them.

149. Any person appearing before a court to give evidence in any case, civil or criminal, may be examined or give evidence on oath in the form or with the ceremony that he declares to be binding on his conscience.

150. Any British subject wilfully giving false evidence in any suit or proceeding, civil or criminal, or on any reference, shall, on conviction thereof, be deemed guilty of wilful and corrupt perjury.

151. All costs and all charges and expenses of witnesses, prosecutions, punishments, and deportations, and other charges and expenses, and all fees, fines, forfeitures, and pecuniary penalties payable under this Order, may be levied by distress and seizure and sale of ships, goods, and lands; and no bill of sale or mortgage, or transfer of property, made with a view to security in regard to crimes or offences committed, or to be committed, shall be of any avail to defeat any provision of this Order.

152. All fees, fines, forfeitures, confiscations, and pecuniary penalties levied under this Order, except confiscations and pecuniary penalties by Treaty appropriated or payable to the Government of China, or to that of the Tycoon of Japan, shall be carried to the public account, and be applied in diminution of the public expenditure on account of Her Majesty's courts in China and Japan; but if the Government of China or that of the Tycoon of Japan declines to receive any confiscation or

pecuniary penalty by Treaty appropriated or payable to it, the same shall be applied as other confiscations and pecuniary penalties are applicable.

153. Whenever under this Order any person is to be taken in custody or otherwise, for trial or imprisonment, or by way of deportation, or for any other purpose, to the Supreme Court or elsewhere in China or Japan, or to Hong Kong, England, or elsewhere, the Court or other authority by this Order authorized to cause him to be so taken, may for that purpose (if necessary) cause him to be embarked on board one of Her Majesty's vessels of war, or if there is no such vessel available, then on board any British or other fit vessel, at any port or place whether within or beyond the particular jurisdiction or district of that court or authority, and in order to such embarkment may (if necessary) cause him to be taken, in custody or otherwise, by land or by water, from any place to the port or place of embarkment.

The writ, order, or warrant of the Supreme Court for China and Japan, or of a provincial court in China or Japan, or of the Supreme Court of Hong Kong, or the warrant of the Governor or person administering the government of Hong Kong (as the case may be), by virtue whereof any person is to so taken, shall be sufficient authority to every constable, officer, or other person acting thereunder, and to the commander or master of any vessel of war or other vessel (whether the constable, officer, or other person, or the vessel, or the commander or master thereof, is named therein or not), to receive, detain, take, and deliver up such person, according to the writ, order, or warrant.

Where the writ, order, or warrant is executed under the immediate direction of the court or authority issuing it, the writ, order, or warrant shall be delivered to the constable, officer, or other person acting thereunder, and a duplicate thereof shall be delivered to the commander or master of any vessel in which the person to whom the writ, order, or warrant relates is embarked.

Where the writ, order, or warrant issues from the Supreme Court for China and Japan, and is executed by a provincial court in China or Japan—and where the writ, order, or warrant issues from the Supreme Court of Hong Kong, and is executed by any of Her Majesty's courts in China or Japan,—a copy thereof certified under the seal of the court executing the same shall be delivered to the constable, officer, or other person acting thereunder, and to the commander or master of any vessel in which the person taken is embarked; and any such copy shall be for all purposes conclusive evidence of the Order of which it purports to be a copy.

154. Subject to the other provisions of this Order, all ex-



penses of removal of prisoners and others from or to any place in China or Japan, or from or to Hong Kong, and the expenses of deportation and of the sending of any person to England, shall be defrayed as the expenses relating to distressed British subjects are defrayed, or in such other manner as one of Her Majesty's Principal Secretaries of State from time to time directs.

155. If any British subject wilfully obstructs by act or threat an officer of a court in the performance of his duty,

Or within or close to the room or place where a court is sitting, wilfully behaves in a violent, threatening, or disrespectful manner, to the disturbance of the court, or the terror of the suitors or others resorting thereto,

Or wilfully insults the Judge, Assistant Judge, or Law Secretary of the Supreme Court, or any Consular Officer, or any Juror or Assessor, or any clerk or officer of a court, during his sitting or attendance in court, or in going to or returning from court,

He shall be liable to be immediately apprehended by order of the court, and to be detained until the rising of the court, and further on due inquiry and consideration, to be punished with a fine not exceeding 25 dollars, or imprisonment for any term not exceeding 7 days, at the discretion of the court, according to the nature and circumstances of the case.

A minute shall be made and kept of every such case of punishment, recording the facts of the offence and the extent of the punishment; and in the case of a provincial court, a copy of such minute shall be forthwith sent to the Judge of the Supreme Court.

156. If any clerk or officer of a court acting under pretence of the process or authority of the court is charged with extortion, or with not duly paying any money levied, or with other misconduct, the court may (without prejudice to any other liability or punishment to which the clerk or officer would in the absence of the present provision be liable) inquire into the charge in a summary way, and for that purpose summon and enforce the attendance of all necessary persons in like manner as the attendance of witnesses and others may be enforced in a suit, and may make such order thereupon for the repayment of any money extorted or for the due payment of any money levied, and for the payment of such damages and costs as the court thinks just; and the court may also, if it thinks fit, impose such fine upon the clerk or officer, not exceeding 50 dollars for each offence, as seems just.

157. Any suit or proceeding shall not be commenced in any of Her Majesty's courts in China or Japan or in any court in Hong Kong against any person for anything done or omitted in pursuance or execution or intended execution of this Order, or

of any regulation or rule made under it, unless notice in writing is given by the intending plaintiff or prosecutor to the intended defendant one month at least before the commencement of the suit or proceeding, nor unless it is commenced within three months next after the act or omission complained of, or in case of a continuation of damage within three months next after the doing of such damage has ceased.

The plaintiff in any such suit shall not succeed if tender of sufficient amends is made by the defendant before the commencement thereof; and if no tender is made the defendant may by leave of the court at any time pay into court such sum of money as he thinks fit, whereupon such proceeding and order shall be had and made in and by the court as may be had and made on the payment of money into court in an ordinary suit.

#### XX.—HONG KONG.

158. Where a warrant or order of arrest is issued by any of Her Majesty's courts in China or Japan for the apprehension of a British subject who is charged with having committed a crime or offence within the jurisdiction of the court issuing the warrant or order, and who is, or who is supposed to be, in Hong Kong, and the warrant or order is produced to any of Her Majesty's Justices of the Peace in and for Hong Kong, such Justice may back the warrant or order, and the same when so backed shall be sufficient authority to the person to whom the warrant or order was originally directed, and also to any constable or other peace officer in and for Hong Kong, to apprehend the accused in Hong Kong and to carry him to and deliver him up within the jurisdiction of the court issuing the warrant or order, according to the warrant or order.

159. The Supreme Court of Hong Kong may take cognizance of offences committed by British subjects within the peninsula of Macao, and of suits originating there, when the party offending or the party sued comes or is found within the jurisdiction of that court; but that court shall not have power to issue any warrant or writ to be executed or served within that peninsula.

160. Save as expressly provided by this Order, all jurisdiction, power, and authority of the Supreme Court of Hong Kong exerciseable in relation to British subjects resident in or resorting to China or Japan shall, from the commencement of this Order, absolutely cease.

#### XXI.—REPEALS.

161. From and immediately after the commencement of this Order, the Orders in Council and Consular Ordinances described in the schedule to this Order shall be repealed; but this repeal shall not affect the past operation of any such order or

ordinance, or any appointment made, or thing done, or right, title, obligation, or liability acquired or accrued thereunder before the commencement of this Order.

## XXII.—PENDING PROCEEDINGS.

162. Nothing in this Order or in any rules made under it shall apply to or in any manner affect any suit or proceeding, either of a civil or of a criminal nature, pending at the commencement of this Order, either with reference to the original proceedings therein, or with reference to any appeal therein, or otherwise, subject nevertheless, to the following provisions and qualifications :

(1.) All suits and proceedings, whether of a civil or of a criminal nature, instituted or taken before the commencement of this Order in the district of the Consulate of Shanghai, and pending at the commencement of this Order, are hereby transferred to the jurisdiction of the Supreme Court, and the same may be carried on and shall be tried, heard, and determined in and by the Supreme Court in like manner as nearly as may be in all respects as if the same had been instituted or taken in the district of the Consulate of Shanghai after the commencement of this Order :

(2.) In any suit or proceeding, whether of a civil or of a criminal nature, the court before which the same is pending at the commencement of this Order, after hearing the parties, either of its own motion, or on the application of either party, or by consent, may, if it seems fit, from time to time direct that the procedure and practice prescribed by this Order, or by any rule made under it, be followed in any respect.

163. Nothing in this Order shall take away any right of appeal in any suit of a civil nature pending at the commencement of this Order, or interfere with the bringing or prosecution of any appeal in any such suit that might have been brought or prosecuted if this Order had not been made,—or take away or abridge any jurisdiction, power, or authority of any court, judge, officer, or person in relation to any appeal in any such suit, or to the execution or enforcement of any judgment, decree, or order made before or after the commencement of this Order, in or respecting any appeal in any such suit ; and, notwithstanding this Order, any appeal in any such suit shall lie and may be brought and prosecuted, and any such judgment, decree, or order may be made, executed, and enforced in like manner and with the like effect and consequences in all respects as if this Order had not been made, subject only to this qualification,—that in case of any appeal which, if this Order had not been made, would have lain to or been heard and determined by the Chief Superintendent, or to or by Her Majesty's Consul-General in Japan, the same shall lie to and be heard and deter-

mined by the Supreme Court in a like course of procedure as nearly as may be in all respects as if this Order had not been made.

XXIII.—COMMENCEMENT AND PUBLICATION OF ORDER.

164. This Order shall commence and have effect as follows :

(1.) As to the making of any warrant or appointment under this Order,—immediately from and after the making of this Order :

(2.) As to the framing of rules by the Judge of the Supreme Court and the approval thereof by one of Her Majesty's Principal Secretaries of State,—immediately from and after the first appointment under this Order of a Judge of the Supreme Court :

(3.) As to all other matters and provisions comprised in and contained in this Order,—immediately from and after the expiration of one month after this Order is first exhibited in the public office of Her Majesty's Consul at Shanghai; for which purpose Her Majesty's Consul at Shanghai is hereby required forthwith, on receipt by him of a copy of this Order to affix and exhibit the same conspicuously in his public office, and he is also hereby required to keep the same so affixed and exhibited during one month from the first exhibition thereof; and of the time of such first exhibition notice shall, as soon thereafter as practicable, be published in every Consular District in China and Japan, in such manner as Her Majesty's Ministers there respectively direct; and, notwithstanding anything in this Order, the time of the expiration of the said month shall be deemed to be the time of the commencement of this Order.

165. A copy of this Order shall be kept exhibited conspicuously in each court and consulate in China and Japan.

Printed copies shall be provided and sold at such reasonable price as Her Majesty's Minister in China directs.

And the Right Honourable the Earl Russell, and the Right Honourable Edward Cardwell, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

EDMUND HARRISON.

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The SCHEDULE to which the foregoing Order refers.

*Orders in Council Repealed.*

CHINA.

9th December, 1833 (Two Orders). See Vol. IV, pages 82, 84.

4th January, 1843. See Vol. VI, page 228.

24th February, 1843. See Vol. VI, page 229.



- 2nd October, 1843. See Vol. VI, page 260.  
 17th April, 1844. See Vol. VI, page 276.  
 13th June, 1853. See Vol. IX, page 210.  
 2nd February, 1857. See Vol. X, page 732.  
 3rd March, 1859. See Vol. X, page 1073.  
 12th September, 1863. See page 275.  
 9th July, 1864. See page 278.

## JAPAN.

- 23rd January, 1860. See Vol. XI, page 406.  
 4th February, 1861. See Vol. XI, page 423.  
 12th September, 1863. See page 588.  
 7th January, 1864. See page 589.

*Consular Ordinances Repealed.*—CHINA.

- No. 1. 19th January, 1854. Deserters. See Vol. X, page 55.  
 No. 2. 31st March, 1854. Lunatics; Coroner. See Vol. X, page 56.  
 No. 1. 17th January, 1855. Neutrality. See Vol. X, page 61.  
 No. 1. 5th March, 1856. Insolvents. See Vol. X, page 69.  
 No. 2. 29th May, 1856. Removal of Prisoners, &c. See Vol. X, page 71.

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## COLOMBIA.

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*DECREE of the United States of Colombia, promulgating Customs Code and Tariff of the United States of Colombia (Ports licensed for Imports and Bonding, Free Ports, Interference of Agents of Foreign Creditors and Bondholders in the Transactions of the Custom-Houses, &c.). Bogotá, May 19, 1864.*

(Translation.)

THE Congress of the United States of Colombia decrees:

CHAPTER I.—*On the Customs.*

ART. I. The Custom-Houses of the Republic are for the purpose of collecting the duties established by law on imported goods.

II. The commercial operations subject to the Custom-House rules are classified in the following manner:

1. Importation, which means the introduction of foreign merchandize for the consumption of the Republic.

2. Exportation, which means the exportation of the products of the Republic to foreign countries.

3. Transit, which means the transit of foreign merchandize imported into the Republic intended for some other nation.

4. Coasting, which means the traffic which is carried on by sea between the ports of the Republic.

5. Bonding, which means the bonding of foreign merchandize in the Custom-House stores, with the view of their being subsequently imported for home consumption, or re-exported within the term and under the conditions prescribed by law.

III. The operations defined in the preceding Article shall be permitted in the ports licensed by law, their execution being expressly prohibited in all ports not licensed, except as regards exportation, which is provided for in Articles CCV and CCVI.

*Paragraph.*—The coasting trade may be carried on between ports not licensed, but that which is carried on between licensed and unlicensed ports shall be subject to the formalities prescribed by law.

IV. The ports licensed for imports and bonding are :

1. Carthagena, Savanilla, Santa Martha, and Rio-Hacha, on the Atlantic.

2. Buenaventura and Tumaco, on the Pacific.

3. The inland port of Cúcuta, on the frontier of Venezuela.

4. Quibdó, in the State of the Cauca.

5. Arauca and Cafifi.

*Paragraph.*—The inland port of Cúcuta is likewise licensed for the transit traffic with the Republic of Venezuela.

V. Are hereby declared to be free ports :

1. All those belonging to the State of Panama.

2. Those belonging to the Archipelago of San Andrés, in the Atlantic.

3. Those belonging to the territory of the Caquetá and that of Carlosama, in the State of the Cauca.

VI. All the Customs' ordinances may all be carried out in the free ports, excepting only those expressly prohibited by Article XIII.

VII. There shall be a Custom-House established in each of the licensed ports.

VIII. The personnel of the Custom-House, the distribution of the duties of the employés and their fixed salaries, shall be settled by law, and by the decrees which may be issued for their execution.

IX. Besides the fixed salaries assigned to the employés of the Custom-Houses, and to the Coast Guards, they shall be allowed an eventual extra salary, consisting of a quota on the gross revenue of the respective Custom-House, which shall be divided in proportion with their fixed salaries.

X. The quotas of which the foregoing Article treats shall be as follows :

In the Santa Martha Custom-House, from one to two per cent. on the gross revenue.

In the Custom-Houses of Carthagená, Savanilla, Rio-Hacha, Buenaventura, and Cúcuta, from 2 to 5 per cent.

In the other Custom-Houses from 4 to 10 per cent.

These quotas shall be fixed annually by the executive power, when introducing the law for supplies.

XI. The quotas on the gross revenues of the Custom-Houses allowed to the employés, shall be paid monthly, in cash.

## CHAPTER II.—*On the Importation of Foreign Merchandize.*

### § 1.—*General Rules.*

XII. All foreign merchandize not prohibited by law may be imported into the Republic by natives or foreigners, without any distinction being made in regard to the flag, or whence the vessel may come, or as regards the country in which the goods were originally produced or manufactured.

XIII. The prohibited articles are :

1. False money, which shall be destroyed at the time of its seizure; samples being retained in order that they be transmitted by the Custom-House authorities to the judge who is to take cognizance of the matter.

2. Money of inferior standard to that of  $\frac{900}{1000}$  shall be confiscated and sent to the nearest mint to be re-coined into money of  $\frac{900}{1000}$ .

3. Machinery for coining purposes, not imported for account of the nation, shall be transmitted by the Custom-House authorities to the competent judge, with a circumstantial inventory, of which a copy shall be retained, that the machinery specified, when returned, may be destroyed in the Custom-House, when no longer required for the prosecuting of the suit.

*Paragraph.*—The chief magistrate of those States in which the distillation of spirits is a monopoly under their special laws, or in which there are any excise duties on the importation for consumption of the said article, and its compounds, can exact from the chiefs of the Custom-Houses existing in the territory of the respective State immediate information of such imported articles, expressing the quantity, and also the name of the importers, as necessary particulars in order to guard against any violation of the laws of the State.

### § 2.—*Of the Formalities which must be observed in the (Foreign) Ports in which Vessels load.*

XIV. Every captain or supercargo of a vessel, which may load in a foreign port, bound for national ports (Columbia), shall present to the Consular Agent of the Republic (or who ever may represent him) a manifest, in triplicate, written in the

Spanish language, and signed, expressing clearly the following particulars:

1. The name, class, tonnage, and flag of the vessel.
2. The port of loading, and the national port or ports (*i.e.*, those of Columbia) to which the vessel may be bound.
3. The merchandize intended for each port, with the names of the shippers, consignees, and gross weight of each shipment, in the way they may appear in the manifest; the goods to be in separate lots as they appear in the bills of lading, and the gross weight and total number of packages of all the cargo intended for each port.

XV. Every person shipping goods to the licensed ports of Columbia, shall present to the Consular Agent (or whoever may represent him) in the port, whence the shipment is made, an invoice in triplicate, written in the Spanish language, and expressing:

1. The name of the shipper, of the consignee, the port intended for, and the name of the vessel.
2. The mark, number, contents, gross weight, and description of each package. In stating the contents, it will be sufficient to give the name or description, quantity, and the material of which each class of merchandize is composed.
3. The total value of the invoice, without the necessity of specifying that of each package.

*Paragraph.*—In commercial places, where there are public officers, whose duty it is to weigh merchandize for sale, and who give a certificate of the weight they contain, the Consular Agent shall exact likewise the certificate of such officer, with respect to the weight of the merchandize invoiced, without which formality he shall not certify to the invoice presented.

XVI. It is prohibited to express, in the documents treated of in Articles XIV and XV, the same packages for different ports. Consequently, when any shipper breaks through this rule, the Consular Agent shall determine as the place for which said packages are intended, the first of the ports named.

XVII. The documents once despatched by the Consular Agent, the destination of the goods cannot be changed from that stated in them; and only in the case at the time of the vessel's arrival, public order be disturbed in the port stated, the importation may be permitted in a port other than that named in these documents.

XVIII. The Consular Agents shall take a note of the manifests in a register which shall be kept for that purpose; he shall compare it with the invoices presented, and after being convinced of the truth and exactness of said documents, he shall write his certificate at the foot of each of the copies of the manifests and invoices, and return one copy to each of the



interested parties for its presentation in the respective Custom-House.

XIX. The Consular Agent shall send by the same vessel to the Custom-House of the first of the national ports (*i.e.*, of Columbia) to which the vessel is bound, a copy of the manifest, and to the respective Custom-Houses a copy of each invoice, with all the information he may think useful or necessary, to guard against any fraud which may be intended.

The other copies of the manifest and invoices are to be remitted to the Minister of Finance by the first post. The postages incurred are to be borne by the nation.

XX. Consular Agents who have no salary, have the right to a fee of 5 dollars for the certificate of each manifest, and one dollar for that of each invoice, it being understood that these fees relate to the 3 copies of each document, and not to each copy. The fees are to be paid by the person who requires the certificate.

§ 3.—*Of the entry and boarding of Vessels.*

XXI. Vessels which enter the ports of the Republic, shall be boarded immediately by one of the superior officers of the Custom-House, by the chief of the Coast Guard service, and other officers who may be considered necessary for watch over the vessel.

XXII. If the vessel be a merchantman, on boarding her, the captain or supercargo shall deliver up:

1. The vessel's register; however when the vessel belongs to a nation which does not exact this formality from Columbian merchant vessels, the said register shall be handed over to the respective Consul; but in such case, the captain or supercargo must present at the Custom-House, immediately after the visit of inspection is over, a certificate from the Consul, in which he certifies that he has received the vessel's register, with the promise of not returning it till it be proved to him by Custom-House documents that the vessel owes nothing to the Custom-House, and has been duly cleared at the said Custom-House.

2. The manifest certified in the port whence she comes, according to Article XIV.

If the vessel should have touched at and discharged a part of her cargo in any other national port, the manifest, with the certification of the respective Custom-House, drawn up as provided for by Article LXIV, must be presented.

3. The document or documents which the Consular Agents address to the Custom-House authorities, with a copy of the manifest and invoices of which Article XIX treats.

4. A list of all the effects on board belonging to the captain and crew, or for their use, and the extra materials belonging to the vessel which have not been included in the manifest.

5. A list of all provisions on board for the use of the crew.

6. A list of the crew and of the passengers.

XXIII. All persons who may come in a vessel are prohibited from communicating with any person whatever of the port before the inspection has taken place.

XXIV. When a vessel touches at a port with the object of discharging only a part of her cargo, the documents mentioned in Article XXII must be presented, but in this case the collector shall certify on the manifest that the vessel has duly complied with the terms of her entry with respect to what he finds therein mentioned as intended for the respective port, without permitting the vessel to land anything else.

XXV. Any vessel which may enter a licensed port without being provided with the documents stated in Clauses Nos. 1 and 2 of Article XXII, shall be put in possession of the Coast Guard officers from the time of her entry, and the captain or supercargo shall be immediately notified by the collector that she must leave the same day, and he shall oblige her to do so, except she be in an unseaworthy condition.

In the case of which this Article treats, all the Coast Guards shall be placed in charge of the vessel, in order to guard against there being any communication between the vessel and the shore, except in case of damage, as stated.

XXVI. Should the vessel be furnished with the papers of which Article XIV treats for one or more of the national ports, and enter a port for which they were not granted, and not with the intention of taking in cargo, or for any other just and indispensable reason, as for instance, in distress or a like cause, she shall be proceeded against, as stated in the preceding Article.

XXVII. When a vessel arrives in ballast, in place of producing a manifest, the captain shall make oath that his vessel is in ballast, and, moreover, the vessel shall be examined by two Custom-House officers, without which formalities being observed the vessel shall be prohibited from communicating with the shore.

XXVIII. When a vessel proceeds from one port of the Republic and enters another, trading coastwise, the Custom-House authorities shall act towards her in conformity with the rules given in Articles CLXI to CLXXVIII.

XXIX. When a vessel arrives from a foreign port, where in virtue of arrangements made with the Government of the Republic the goods loaded in said port must be accompanied with a permit, the said permit shall be exacted for all the goods which have been embarked in the same ports, and also the manifest of the goods.

XXX. National or foreign mail vessels shall be treated according to their respective contracts, or in accordance with existing regulations, or to what may be agreed upon.

XXXI. Vessels of war, and transports of friendly nations, are exempt from all formalities; but should they have on board goods for private individuals, they shall be bound by the rules established for merchant vessels.

XXXII. Immediately after the manifest has been presented, and the boarding visit has taken place, the day and hour the manifest has been presented shall be duly noted, and attested by one of the chief officers of the Custom-House, and also by the Coast Guard officer.

XXXIII. All merchant vessels which may enter any port of the Republic shall be taken charge of by a tidewaiter from the moment she enters until she leaves the port. This officer shall be relieved every day.

XXXIV. After the visit of inspection has been made, and the formalities required by the foregoing Articles have been complied with, the luggage of the passengers may be landed for inspection in the Custom-House. The hatchways and other entrances into the hold and other places of the vessel in which there should be goods subject to duty shall be closed and sealed. The seal used for this purpose is to be held by the collector.

XXXV. The seals placed on the hatchways and other places which require seals, can only be removed or broken by the chief officer of the Coast Guard service, or in default of him, by an employé named by the collector.

XXXVI. Mail vessels or packets shall be visited immediately on their arrival, at whatever hour of the day or night it may be, and when visited they shall be allowed to disembark passengers, and send to the Custom-House all goods and luggage which may be on board.

§ 4.—*Of the Manifest (entry papers).*

XXXVII. Within 24 hours after the vessel has anchored, the captain, supercargo, or consignee shall solicit from the collector permission to commence discharging cargo, which shall be granted, should the documents stated in Article XIV have been presented.

XXXVIII. Within 48 hours after permission has been granted to discharge cargo, each person interested in the cargo intended for the port must present at the Custom-House a copy of the certified invoice of which Article XVIII treats, accompanied by a written manifest, in triplicate, stating the same particulars contained in the invoice, likewise the class of goods of each package, according to the tariff established for the collecting of import duty.

XXXIX. The Collectors of the Custom-Houses shall note the day and hour of the presentation of each declaration, subscribing each page; a copy of which declaration shall be immediately passed to the chief political authority of the place;



another to the agent of the foreign creditors, should there be one, or in default, to the Finance Minister, by the first post.

XL. All alterations in these written declarations shall be considered as falsifications, whether they be made by the interested parties, or by the functionaries to whom they are presented; and the alterations which may be made before presenting them, must appear minutely noted before the date and signature, which date and signature shall immediately follow the said corrections, and in case of no such circumstance, at the end of the last word of the declaration.

XLI. The Custom-House authorities shall compare the manifest with each of the written declarations and invoices, to verify the correctness of the said documents; if they are found to agree, the discharge of the cargo shall be proceeded with according to the formalities prescribed in the following Articles. All discrepancy which may be observed between the ship's manifest and the written declarations, or between these and the invoices, shall be extended in a document to be signed by the collector; a copy of the same shall be passed to the agent of the foreign creditors, should there be one, and in default, by the first mail to the Minister of Finance.

§ 5.—*Of the Discharge and subsequent Registration of the Vessel.*

XLII. The Custom-House authorities shall note on the ship's manifest the day and hour in which permission to discharge has been granted, stating at the same time the number of hours in which this shall be effected; a copy of this note shall be passed to the Chief of the Coast Guard, that he may transmit the same to the Custom-House officer in charge of the vessel, with all the precautions which he may judge necessary over and above those established by the following Articles.

XLIII. The Custom-House officer in charge of the vessel shall keep a register, in which he shall note, lot by lot, the packages delivered to the master of each lighter employed in the discharge of the vessel, expressing the name of the vessel, the marks and numbers of the goods and number of packages, classifying them into cases, trunks, bales, crates, barrels, demi-johns, &c. At each trip there shall be given to the master of the said lighter a bill numbered, in which shall be noted the packages with the same particulars.

XLIV. On receipt of the packages by the Chief of the Coast Guard, they shall be compared with the respective delivery notes. Any difference between the number of packages and the delivery notes, shall be immediately made known to the Collector of Customs, that he may take the necessary measures with regard to same.

XLV. All the packages landed shall be placed daily in the Customs stores, excepting those containing inflammable sub-



stances, or very bulky articles, such as carriages, &c.; the same formalities shall be observed with regard to them as to other effects.

XLVI. The Storekeeper of the Customs shall store in the warehouses the packages as they arrive, and shall enter them in his store book, specifying the vessel, the kind of packages, and the marks and numbers in conformity with the rules which the collector may establish.

XLVII. The executive power shall decree the supplementary rules to be observed at inland or river ports, in all that may not be applicable, as established by this law for sea ports, or that may not have been expressly established in regard to inland ports.

XLVIII. The Chief of the Coast Guard shall pass to the storekeeper the delivery notes, that he may have them before him in making his entries, and these shall be returned to the said chief daily on closing the stores.

XLIX. While the vessel is discharging, the Chief of the Coast Guard shall, on the delivery of the last daily boat load from the vessel, compare the delivery notes returned to him by the storekeeper, with the entries made by the latter in his books; and any difference which may result shall be immediately cleared up, giving notice of the same to the collector and to the agent of the foreign creditors should there be one, that the necessary measures may be taken relative to the case.

L. Daily after the foregoing formalities have been complied with and the warehouses closed, the Chief of the Coast Guard shall go on board of the vessel or vessels which may be discharging, and shall examine the register of the tidewaiter of the packages delivered from each vessel during the day; he shall compare the said register with the purser's or supercargo's book; he shall then close the hatchways and other entrances to the hold, or other places where effects subject to duty may be stowed. In case of difference between the tidewaiter's register and the ship's book, immediate notice shall be given to the collector and to the agent of the foreign creditors, should there be one, that the necessary steps may be taken that the case requires.

LI. As soon as the lighters are alongside on the following day, the hatchways and other sealed entrances shall be opened, but this shall not take place until the tidewaiter has been relieved.

LII. When the captain of a vessel has been ordered to leave the port, should he not do so, the collector may place as many of the Coast Guards on board as he may think proper, to be paid by the vessel, the amount so recovered shall be equal to the salaries of the said guards, and shall be paid into the national treasury. After the lapse of 24 hours, should the

vessel still remain in port, the weather permitting her departure, the collector shall have the whole cargo discharged at the vessel's cost, and shall examine, take an inventory of, and store the goods, until the requisite written declarations be presented.

LIII. Should it happen that by neglect of the captain or consignee of the vessel the discharge is delayed for a longer time than that allowed, the guard shall be increased to a greater number, and from the day from which a greater number be placed in charge, the extra expense caused in conformity with the preceding Article, shall be for account of the party causing the delay.

LIV. The articles necessary for the navigation and other uses of the vessel shall not be landed.

LV. In the port where there are wharves or other like conveniences for the unloading of vessels, on the daily conclusion of the work, the vessel shall retire to the necessary distance, to prevent the easy communication with the shore and the fraudulent extraction of goods during the night.

LVI. In every case the Coast Guard shall use a constant vigilance over the boats and crews which may come ashore from the vessels discharging, to stop any illegal introduction of goods.

LVII. The unloading of vessels shall take place between 6 A.M. and 5 P.M., at the wharves or places destined for that purpose, and from the time of a vessel's arrival, until she have completed her unloading, no person shall be permitted to go on board, except the crew or Customs' officers, or who shall not present a written order from the collector.

LVIII. The foregoing prohibition does not extend to persons who may go to lend assistance to a vessel in distress, or in imminent peril of being wrecked, in such a case the Coast Guard shall take care that the effects taken out of her be not fraudulently introduced, nor be taken to other places not destined for safe keeping.

LIX. Immediately after the vessel has completed her unloading, an examination shall be made by the same employé who made the visit of entry, and if no effects subject to duty be found on board, she shall be considered as having completed her discharge in regard to that port, although there may be goods on board intended for other ports, licensed or free, national or foreign, as specified in the certified manifest, as likewise the provisions, sails, and other things necessary for the vessel's use; provided that the said things be in conformity with the declaration made at the time of entry without more diminution than that necessarily occasioned in the provisions for the crew's use.

LX. When it happens that the number of packages landed in a port is less than that specified in the ship's manifest, the duties on the short quantity of effects delivered shall be

recovered from the captain, supercargo, or consignee, such duties shall be calculated as appertaining to the highest class of the tariff, and shall be paid in cash before the sailing of the vessel. All the foregoing shall be made known to the agent of the foreign creditors, or in default of such to the Minister of Finance.

LXI. The same proceedings shall be observed with regard to all packages found on board and not manifested, giving to the parties interested a receipt for the payment of the duties. The examination of the merchandize may take place on board or in the Custom-House, as the collector may determine, and the expenses of unloading and loading shall be for account of the party interested.

LXII. The agents of the foreign creditors shall have the right to be present at all the visits, and at the inspection of the unloading and custody of the cargo.

LXIII. When there remains on board merchandize declared to be destined for another or other ports, national or foreign, the same watch shall be held over the vessel till she leaves the port, the hatchways and other places having been duly closed; at this time an inspection shall take place to ascertain if the closings or sealings have been violated or not.

LXIV. In the case of the foregoing Article, the collector shall return to the captain the manifest which he had presented, with a certificate at foot of same, stating the delivery or non-delivery of the packages shipped for that port, of his having paid tonnage dues, and of the time at which he should have left the port, which ought not to exceed 24 hours, unless the vessel should have to take in cargo.

LXV. If the merchandize which may have remained on board should be destined to another port of the Republic, by the first post the Collector of Customs shall forward to the Custom-House of the port to which the vessel is bound a copy of the manifest relative to the introduction about to be made.

The Collector of Customs of the second port shall acknowledge, in due course, the receipt of said copy, specifying if the importation have taken place.

LXVI. Merchandize imported cannot be re-shipped in the same vessel, except by a subsequent voyage.

#### § 6.—*Of the Examination and Inspection of Merchandize.*

LXVII. Immediately after the unloading has been concluded, and the packages found duly in order, excepting those specified in Article XLV, the collector, having the ship's manifest presented by the captain, and the written declarations and invoices delivered by each of the parties interested, in conformity with Article XXXVIII, shall, in company with the

agent of the foreign creditors, should there be one, and should he choose to assist, proceed in the following manner:

1. To compare the manifest, declarations, and invoices with the statement presented by the storekeeper of the packages received by him; and should they be found not to agree, the manifest specifying a greater or a lesser number than the invoices or written declarations, of what may have been stored in the warehouses, he (the collector) shall draw up a circumstantial statement of the differences, and will inform each party interested in the business relative to the packages which have been found in excess or wanting in the warehouses, in order that they may comply with the formalities in regard to those in excess, and provided for in Article XXXVIII.

2. He shall classify and number the written declarations presented by the interested parties in the cargo, according to the order they have been presented at the Custom-House.

3. He shall proceed to examine and weigh the packages specified in each declaration, according to the number the document may bear.

LXVIII. When it results that there is damage in the packages which compose the cargo, the Collector of Customs shall set aside the damaged goods, and dispatch the packages as they are landed, having previously examined and determined the nature of the damage. Whenever it is necessary to proceed in this manner the Collector of Customs shall make it known to the functionary who may have to make the visit, and to the agent of the foreign creditors, should there be one.

LXIX. The examination of the cargoes shall be made in public, in a store of the Custom-House, divided by a rail, within which shall be opened, weighed, and examined, the packages of merchandize, in presence of the examiners, of the party interested, and the other employés who ought to be present at the examination. Other persons who may wish to be present shall remain without the railing.

LXX. The examination and inspection of the cargoes shall be made in all the Custom-Houses of the Republic, by the Collector, Controller, and Weigh-master; and where there shall be no Controller and Weigh-master, by the first and second chiefs of the Coast Guard.

LXXI. In the Custom-Houses where there are agents of the foreign creditors, they shall have the right to be present at the examination of effects, and of making what suggestions they may deem proper.

LXXII. Without prejudice to the principal and direct responsibility of the chiefs of Custom-Houses, conformably to the organic law of national finance, all other employés are likewise to be held responsible, *in solidum*, who interfere, or ought to do so, in the examination.



LXXIII. The chief object of the examination is to ascertain if each bale contains the weight and contents expressed in the invoices and manifests presented by the interested parties, for which purpose the following mode of proceeding shall be adopted:

1. Packages declared to contain articles which pay the highest rate of duties, shall be passed, one by one, without the necessity of having them opened for the purpose of examining the contents.

2. Packages declared to contain articles which pay a lower rate of duties, shall be opened and examined, one package in every ten, and each bale shall be weighed. The collector may, moreover, order to be opened all those packages he may think necessary.

3. Packages declared to contain articles free of duty, shall all be opened, and their contents carefully examined.

LXXIV. When the manifests and invoices shall not have been presented, or when these documents want some of the particulars as required by clauses 1 and 2 of Article XV, or those stated in Article XXXVIII, all the shipment shall be considered as belonging to the class of goods which pay the highest rate of duty, with 10 per cent. additional.

When the omissions of which this Article treats, can be applied only to certain packages, then these packages only are referred to in this Article.

LXXV. When the party interested makes oath before the Collector of Customs that he has not received a certified invoice of a whole shipment or part of one, a sufficient time shall be allowed him to present it in, and should the term have expired without the invoice having been presented, the formalities prescribed in the foregoing Article shall be proceeded with. The shipment shall be weighed notwithstanding, bale by bale, and stored in the Custom-House until the examination be made. Of all this a document shall be drawn up, in which shall be stated the marks and number of the bales. The said document shall be made out in duplicate, and signed by the chiefs of the Custom-House, the party interested, and two merchants as witnesses, one of which documents shall be passed to the agent of the foreign creditors, should there be one, or in default by the first post to the Finance Minister.

LXXVI. All packages which appear to have been opened without the knowledge of the Customs authorities, not belonging to the class of goods manifested as charged with the highest rate of duty, shall be opened and examined one by one.

LXXVII. When making the examination of a shipment, should it happen that more than one of the packages opened be found to contain a class of goods which pay a higher rate of duty than the one manifested, all the shipment save the part

charged with the highest rate of duty shall be opened. Should more than two packages be found with the same errors, the highest rate of duty as per tariff shall be levied on the whole shipment, with the additional charge of ten per cent.

LXXVIII. Should it happen on making the examination there are some packages subject to a lower rate of duty than that stated in the invoice or manifest, the duties shall be charged according to the contents of said packages.

LXXIX. When the total weight stated in the invoice and documents be less than that given in the ship's manifests, the collector shall name a person who is not a tidewaiter to go on board of the vessel and send ashore separately, with all due precaution, the shipments in which a difference is observed. These shipments shall be sent direct to the examination department, where the collector and the other examiners shall proceed instantly to verify the weight, and should it turn out more than 10 per cent. over that manifested, he shall recover at the time of the examination 50 per cent. in addition to the ordinary duties on such goods. Of this act he shall draw up a written statement, a copy of which he shall pass to the agent of the foreign creditors, or in default to the Finance Minister.

LXXX. When the invoice and ship's manifest agree, but the weight of the goods should turn out to be 10 per cent. over the weight manifested, the goods shall be charged the duties assigned to their class, with 10 per cent. more.

LXXXI. When a package contains articles of different classes, subject to different rates of duties, the duties shall be charged on the package as if the whole contents consisted of the articles which pay the highest rate of duties of their class.

LXXXII. The baggage and effects belonging to, and accompanied by a diplomatic agent, shall not be opened or examined, should the order respecting such things, of which Article XCVII of the present law treats, be presented.

LXXXIII. Luggage of private individuals shall be examined and delivered free of duty, as they may arrive at the Custom-House, should the weight not exceed 150 kilograms for each person. When this weight is exceeded the highest rate of duty shall be levied on all excess, save when such effects be accompanied by a certified invoice, and the other forms, in general as regards merchandize, be complied with, then such effects shall pay duty according to their contents.

*Paragraph.*—Luggage means articles for personal use, such as clothes, boots and shoes, watches, beds, table and kitchen services, saddlery, arms and instruments pertaining to the profession of the traveller, provided that such do not exceed the allowed weight, even should they not have been used.

LXXXIV. Travellers passing from one port of the Republic to another, shall not be allowed to land their luggage, without

complying with the formalities required from persons arriving from a foreign port, unless they present a certificate at the Custom-House, from the collector of the port whence they come, which must contain a detailed statement of each package, and its weight. The Customs' authorities shall satisfy themselves as to the correctness of this document, and should it not be found in order, double duties of the highest class shall be charged.

LXXXV. When an importer is not satisfied with the decision of the collector as to the classification of his merchandize, the importer and collector shall name an arbitrator each to decide the question. Should these not be of the same opinion, nor agree within 24 hours, the collector shall name a third party, who shall, on oath, decide the question.

LXXXVI. When the examination is being made, should any damage be observed, and the interested party ask to have the same estimated, the same shall be carefully done by the examiners proceeding in the case as the foregoing Article states, with respect to the classification. An allowance of so much per cent. shall be made on account of the damage the goods may have sustained in their market value, such allowance to be taken off the duty to be charged on the class to which the merchandize may belong.

LXXXVII. On commencing the examination of a shipment, each of the examiners shall open a register, in which shall be noted the heading of the invoice about to be examined. In the said register there shall be noted the mark, number, weight, class, and description of each package, and likewise all the particulars relating to the examination. In cases of which Articles LXXXV and LXXXVI treat, each examiner's opinion shall be noted.

The weigh-master shall announce in a loud voice the mark, number, and weight of each package.

LXXXVIII. The operations of which the preceding Article treats shall be signed daily by the examiners and by the agent of the foreign creditors, should he assist, and when finished, one of the copies shall be handed to the said agent, and the others shall be sent by post to the chief political authority of the district, and to the Finance Minister.

LXXXIX. Immediately as the examination of the merchandize noted in an invoice has been concluded, the goods shall be delivered up to the interested party when he has satisfied the duties, or should the amount of same be not determined, the duty-sheet not being made out, or else when the importer declares that he wishes to make the payment into the national treasury, he shall extend a document to the satisfaction and under the responsibility of the collector, which shall be signed by the importer and by two residents of the place as

sureties for the amount of the said document and interest for delay, without prejudice to legal proceedings.

XC. When the owner of merchandize resides in a place distinct from where the Custom-House is situated, two merchants or estate owners, residents of the place in which the interested party resides, or of the capital of the State to which the said place belongs, shall be admitted as sureties, provided the said sureties be accredited by the Governor, President, or Chief Magistrate of the State, under his responsibility. The bond shall be drawn up by a notary public, and contain full particulars of the security given by the signers. In the said document it shall be stated that the sureties and the interested person are responsible each and all for a fixed sum, and a notarial copy shall be deposited in the respective Custom-House, at the charge of the party interested, by the functionary who takes the bail bond. When the sureties reside in the capital of the Republic, the Treasurer-General shall open the credit.

XCI. The delivery of goods shall be made by the store-keeper, in virtue of a written order from the collector, and in the presence of the agent of the foreign creditors, or a person named by him, or in the presence of the Surveyor of Customs, in default of the said agent, or the person appointed by him.

All packages shall be counted and compared with the examination papers, and, if any difference arise, immediate notice shall be given to the collector, in order that he may proceed in the manner the case requires.

XCII. The collector and other employés who ought to take part in the delivery of examined goods, shall be responsible, as likewise the interested person, for the total value of the duties on all shipments delivered without having complied with all the formalities required for such delivery.

XCIII. When the duties are not paid in cash, nor the bond given of which Articles LXXXIX and XC treat, the goods shall be stored in the Custom-House, and a charge of 5 cents for every 100 kilograms shall be made. The said goods or shipment shall be again examined at the time of its delivery, with all the formalities to be observed with regard to goods directly imported.

#### § 7.—*Of Import Duties.*

XCIV. The examination and survey of the goods having been duly performed the duty sheets shall be drawn out, bearing in mind the rules and directions contained in the following Articles:

XCV. The imposts on foreign merchandize shall be levied in conformity with the rates fixed in the annexed tariff, except the following articles, which are free of duty:



1. Gold and silver unwrought, or of legal coinage, excepting such as is prohibited in clause 2 of Article XIII.

2. Luggage, when not exceeding 150 kilograms in weight to each person.

3. Effects imported for the use of Ministers and Diplomatic Agents of foreign nations accredited to the United States of Columbia, provided that the countries to which they belong concede the same exemptions to the Ministers and Diplomatic Agents of this country, and that they comply with the stipulations of Article XCVII.

4. Vessels suitable for sea-going purposes and for the navigation of inland waters of the Columbian territory, and the pieces for their construction should they come in pieces.

5. Machinery and apparatus employed in the construction, repairing, and preservation of roads, for the cleaning of harbours and ports, opening and repairing of navigable canals, improving of navigable rivers; also carriages, utensils, and materials destined exclusively for railroads.

6. Machinery, complete or in pieces, suitable for agricultural, mining, or manufacturing purposes.

7. Ice, guano, lime, bricks, roof and floor tiles of clay or earthenware, slates for tiling, and salt which may be imported in the ports of Buenaventura and Tumaco.

8. Mineral coal.

9. Seeds, slips, and sprigs of plants intended for agriculture.

10. Live animals.

11. Periodicals, pamphlets, and printed matter.

12. Wood for ship-builders, packing-cases, or house-builders.

13. The natural productions of Venezuela and the Equator, excepting salt imported through the Cúcuta Custom-House, should the same privileges be conceded by these Republics to the productions of the United States of Columbia.

14. Samples of cloths, in small pieces not exceeding 25 kilograms, gross weight.

15. All articles of whatever kind imported for account of the Government of the Union.

16. Arms and military stores imported by the States for their defence, or for that of the General Government.

XCVI. When it should be necessary to draw up a new tariff, or a new system for the collecting of import duties, importers shall be allowed to bond in the Custom-Houses the whole or a part of the shipments which they desire to pass under the new regulations, provided the bonding license be applied for at least 60 days before the time appointed for the coming into effect of the new tariff. The Customs shall make a charge of one cent monthly on each kilogram the shipment weighs.

XCVII. In order that the luggage and effects of Diplomatic

Agents may be imported free of duty, the following forms must be observed:

1. A list, written and signed with the marks and number of packages containing the luggage or effects accompanying a Diplomatic Agent, together with his passport, shall be presented to the first political authority of the port. The said authority shall pass to the Custom-House the original list with a delivery order, and shall return the passport.

2. Should the effects come unaccompanied by a Diplomatic Agent, they shall be subject to all the formalities required from private individuals, but they shall be delivered free of duty, provided an order from the Finance Minister to the collector be presented, in which the marks and number of the packages to be delivered must be specified. Likewise the delivery may be allowed before the order be received if the importer draw out a bond according to the form prescribed by Article LXXXIX.

3. In order to procure the order mentioned in the foregoing clause, the Diplomatic Agent shall pass a note to the Secretary of Foreign Affairs, stating the marks and number of the packages expected, the name of the vessel, and that of the party to whom they should be delivered.

XCVIII. The account for the settlement of the duties on each shipment shall be made out in the following manner:

1. Each class of package found on survey to be in conformity with the invoice and manifest shall be made out separately, and the duty-sheet shall contain the total weight of each class.

2. Like formalities shall be observed with respect to packages not found in conformity with the manifest and invoice, or for which these documents have not been presented.

3. Free articles shall form a separate lot.

4. In each of the 3 lots the marks and numbers of the respective packages shall be stated.

5. The total gross weight of all the shipment, and the sum total of the duties, shall be stated.

6. After these particulars shall be noted, the quota of the duties belonging to the foreign creditors, that which is assigned to the redemption of floating bonds of the 5th class, and that made over to the Custom-House employés, as eventual salaries. Following these particulars, the date and signature of the collector shall be put.

XCIX. When there is an agent of the foreign creditors in the Custom-House, the collector shall pass to such agent all the duty-sheets in original and duplicate, in order that they be examined. Should the said agent discover any errors, he shall return to the collector both copies, in order that the errors may be rectified; but should the collector insist in the correctness of the accounts, the agent shall sign the duty-sheets, returning

one to the collector, and the other he shall send, with his observations, to the Finance Office, where the question shall be determined. The Agent shall be allowed a term of 24 hours for the examination of the duty-sheets.

C. Should there not be in the Custom-House the agent of which the foregoing Article treats, the collector shall remit to the Finance Office, by the first post, one of the copies of the duty-sheet.

CI. Within 8 days, at the latest, after the examination of the goods of a manifest, an exact copy of the account of duties recoverable on them shall be signed by the collector, and handed to the party interested. The latter shall be allowed 6 days to revise the account and to make written observations thereon, which he shall present to the collector. Should they be well founded, he shall make the necessary corrections at the foot of the duty-sheet, giving advice of same to the Finance Minister and the agent of the foreign creditors, should there be one; but should he consider them unfounded, he shall hold to the liquidation made, and transmit the statement of the objections to the Minister of Finance, that he may finally resolve the case.

CII. Should the collector within the prescribed 8 days not hand the account to the party interested, the latter may apply to the chief political authority of the place, or the employé who may be appointed by the executive power, to compel the collector to deliver the account; and at the expiration of 3 days after being duly notified, should he not have done so, he shall be fined 5 dollars daily from the day of the notification until he delivers the account.

CIII. Should 48 hours elapse after the 6 days allowed for the examination of the account, without an understanding between the party and the collector, relative to the objections, the former shall always pay the amount of the account, retaining his right to reclaim before the Minister of Finance.

CIV. At the final examination of the Custom-House accounts, the collectors shall be responsible for the amounts omitted to be charged to the importers; and should too much have been collected, this excess shall be ordered to be paid back to the respective parties; notice of said order shall be given to the Minister of Finance, who on finding it just will order the repayment.

CV. The sum total to which the import duties amount, shall be paid by the importer in cash or in documents of the public debt, in quotas in which they are admissible by pre-existing laws. The delivery in these kinds of payments shall be made, under a receipt, to the employés appointed by the law at each Custom-House; but should the importer prefer to make the payment at the General Treasury, he shall give a draft payable

at 3 days' sight to the said Treasury, provided that he shall have already given the security mentioned in Articles LXXXIX and XC.

*Paragraph.*—The part of the import duties assigned to the foreign creditors, and that of the eventual per centage assigned to the employés of the Custom-House, shall in every case be collected at the office where the duties have been liquidated, except the said creditors shall agree to the payment of their quotas at the General Treasury.

CVI. The Custom-Houses where importations take place shall collect the duties charged on said importations.

CVII. The Custom-Houses shall admit the surety bonds specified in Articles LXXXIX and XC of this law, provided that all the formalities required shall have been fulfilled, and should they be admitted wanting any of the said formalities the Custom-House shall be responsible for the consequences.

CVIII. The chiefs of the Custom-Houses shall take care that the drafts given by the importers do not exceed the amount specified in the surety bonds.

The General Treasury shall be bound to advise the respective Custom-House of the payments made by the post immediately following such payments.

CIX. Whenever sureties should wish to retire their responsibility, they shall make the same known to the Collector of the Custom-House, who shall suspend the use of the bond, and as soon as the amounts due under the bond are paid, he shall note thereon that the Custom-House has no claim on the sureties in regard to that document, and shall return it to the employé who had admitted the security in order that it may be cancelled.

CX. On the amounts drawn by importers in favour of the General Treasury, no interest shall be charged, except from the day on which they fall due. Nor shall the documents of the floating debt paid in by importers bear interest after the day of the date of the account of duties.

CXI. Should the drafts treated of in Article CV, not be paid at their maturity, or if the person who ought to accept and pay them, cannot be found, the General Treasurer shall note the same at foot of the drafts, and return them to the respective Custom-House for collection. In such cases the importer shall be charged with the interest fixed by an organic law of finance, from the date of the account of duties.

CXII. The chief of the Custom-House, to whom a draft omitted to be covered in the treasury has been returned, shall take the measures necessary to collect its value, both capital and interest, in virtue of his coercive legal authority, from any of the parties responsible. Should the sureties be found in the place in which the General Treasury is established, the chief of



that office shall retain the drafts, and take measures to collect the amount from the respective sureties.

CXIII. Of all the quotas assigned to the foreign creditors, namely, those to be collected, and those being collected, a statement shall be made every 3 months by the Custom-House, showing the names of the debtors. These statements shall be forwarded to the Committee of the Foreign Bond Holders, as the executive power may determine, and shall be published in the "Official Diary."

§ 8.—*Of documents to be sent by the Custom-Houses to verify their operations.*

CXIV. All acts relative to the formalities which the Custom-Houses have observed and performed, from the arrival of a vessel to the final despatching of the merchandize imported in her, shall be placed in one packet, which must contain:

1st. The ship's certified manifest, transmitted by the respective Consular Agent, and in default thereof a copy of what is mentioned in Article LXV.

2. The list or statement of the provisions on board for use of the crew.

3. Documents relative to each of the shipments, containing the invoice, importer's manifest, statement of the examination of the goods, with all particulars of the valuation, estimate of damage, and of all other matters treated of in Section 6, account of the duties charged, and also all other documents relative to incidents of each shipment.

4. The registers kept of the unloading of the vessels mentioned in Article XLIII.

5. The original orders and lists specified in Article XCVII.

6. All the correspondence of the Consular Agents in relation to the respective vessels.

Copy of all the resolutions of the Custom-House respecting infractions, of the communications and vouchers passed to the judge and all the Acts mentioned in Articles XLI, LX, LXI, LXXV, LXXIX, and LXXXIV.

CXV. The packets specified in the preceding Article shall be forwarded through the Finance Secretary's office to that charged with the examination and settlement of the Custom-Houses' accounts, and the Custom-Houses shall send at the same time a statement embracing:

1. The total number of packages of each class specified in the tariff, the total weight, and the duties charged on the packages of each class.

2. The value of each invoice.

3. A summary classified in Articles, of all merchandize imported.

CXVI. In the Custom-House department of the Finance

Office an account shall be kept of the documents specified in Articles XIX, XXXIX, XLI, LX, LXI, LXXV, LXXIX, LXXXVIII, XCIX, C, and CI, and immediately after receipt of the Custom-House packets of documents, they shall be compared with the respective ones forwarded in conformity with the foregoing Articles, and afterwards those remitted in the packets shall be examined. All discrepancies and informalities noticed shall be communicated to the office charged with the examination and final arrangement of the accounts. To the Secretary of Foreign Affairs, information of the failings and omissions of the Consular agents, in regard to what is required of them by this law, shall also be communicated.

CXVII. The statements required by Article CXV shall be retained in the Customs' department for the forming of statistic accounts.

§ 9.—*On Farming the Customs' Revenues.*

CXVIII. The executive power may give on rent the duties of importation up to a 5th part of those payable at Santa Martha, Carthagena, Savanilla, Rio-Hacha, Cúcuta, and Buenaventura, and to the extent of 50 per cent. at the other Custom-Houses, under the following conditions :

1. That the amount given for the quota taken on rent be equal to that received on each quota during the fiscal year from 1858 to 1859.

2. That the excess of the duties in the quota rented shall belong to the farmer of the customs.

3. That the farmer gives security for a sum equivalent to 20 per cent. of the amount of the rent.

4. That the farmer shall not receive the amount which may appertain to him until after the amount of the rent of the quota shall have been received in duties; payment to be made to him at the place where the Custom-House exists. The Custom-House shall state, in all the accounts of duties, the quota belonging to the farmer.

5. The amount belonging to the farmer shall be paid in cash.

6. That the farmer, or his agents, shall have the following rights :

1. To be present at all the visits made to vessels.

2. To inspect all the acts and transactions relating to the landing, custody, and delivery of the cargo, and to be present at the examination of same.

3. To examine all the documents connected with the transactions mentioned in the two preceding clauses, and all those relative to the accounts of duties, and the payment thereof.

4. To take all precautions he may deem necessary to insure that the acts and transactions of the Custom-House

employés, and of other persons, be in conformity with the law, and with the rules prescribed by the executive power, and that the revenue be not defrauded.

5. That the term of the contract shall not exceed two years.

§ 10.—*Of the intervention of the Agents of the Foreign Creditors in the transactions of the Custom-Houses.*

CXIX. The executive power shall endeavour to enter into an agreement with the Committee of the foreign bondholders, under the following conditions:

1. That the Committee appoint an agent in each of the Custom-Houses of Santa Martha, Carthagena, Savanilla, Rio-Hacha, Cúcuta, Barbacoas, and Buenaventura, to watch over the operations mentioned in Articles XXXIX, XLI, LX, LXI, LXIII, LXXV, LXXIX, LXXXI, and others of this law, or of others which may hereafter be issued, in all that may relate to the inspection of the operations consequent on the visit to vessels landing, custody, examination of the merchandize, and the liquidation of duties.

2. That the agents shall receive, for account of the Committee, the sums which correspond to the foreign creditors; the part of the products of the Custom-Houses applicable to the payment of the interest on the foreign debt.

3. That the individuals who are appointed to the Custom-Houses as agents, be considered as also employés of the Government of the United States of Columbia to discharge the duties assigned to them by this law.

4. That the agents shall not directly nor indirectly engage in commercial pursuits during their term of office.

5. That the Government shall pay a part of the certain and eventual salary of the agents, and said part shall be equal to one-half of that payable to the Comptroller of the respective Custom-House.

6. Should the Committee not agree to appoint an agent at each of the Custom-Houses mentioned in the first condition, one may be appointed at any or at some of the said ports, as may be agreed upon.

7. The Committee may appoint agents at the other ports not mentioned in condition first of this Act, but in such case the Government shall not be bound to pay part of their salaries.

8. That the Committee may appoint an agent at the residence of the General Treasury, to receive the sums collected at that office for account of the bondholders.

9. That the responsibility of the Republic for the amounts handed to the agents, shall cease from the moment of the

delivery, and said amounts may be delivered in cash, or in bills on England, at the exchange of 5 dollars per pound sterling.

10. That the executive power may discharge the agent or agents from their employment, giving due notice to the Committee that a new appointment may be made.

11. This agreement shall not be binding on the Government for a longer period than 6 years.

CXX. The conditions 1, 3, and 4 of the preceding Article are essential for the conclusion of a contract, which, should it be entered upon, in accordance with the conditions stated in the foregoing Article, shall be put into execution without the necessity of the approval of Congress.

CXXI. The agents of the foreign creditors shall transmit to the Finance Office, together with the observations they may think proper, and by the first post, all the documents treated of in Articles XXXIX, XLI, LX, LXI, LXXV, LXXIX, and LXXXVIII, and all other documents which may have been submitted to them by the Custom-Houses, with the exception of the statements mentioned in Article CXIII, which they shall address direct to the Committee of bondholders of the foreign debt.

### CHAPTER III.—*Of Tonnage Dues.*

CXXII. In future no other impost shall be charged on vessels entering the ports of the Republic than that denominated "tonnage dues," at the rate of 50 cents of a dollar for every thousand of kilograms of the gross weight of the merchandize landed from the vessel.

CXXIII. The tonnage dues shall be collected in all maritime ports of the Republic, including the free ports; in the licensed ports by the respective Custom-Houses, and in the free ports by the respective post-masters.

The executive power may suspend temporarily the collection of tonnage dues at the free ports.

*Paragraph.*—The tonnage dues shall be paid during the time appointed for the discharge of the vessel.

CXXIV. Those who collect the tonnage dues at the free ports shall have the right to exact from the master or supercargo of each vessel, a declaration of the number of tons of merchandize discharged, whether they be computed by weight or by measurement.

CXXV. No tonnage dues shall be collected on—

1. Vessels of war of friendly nations, and transports characterized as such.
2. Vessels arriving from national ports.
3. Those which come in ballast.
4. Those which bring immigrants exceeding 50 in number.



5. All such as may have been declared exempt by public Conventions.

6. All steam vessels which trade regularly to the ports of the Republic, provided that their owners, agents, or masters bind themselves to carry, gratis, to and fro, the correspondence and printed papers of the Government, and of private individuals.

CHAPTER IV.—*Of Exportation and Re-exportation.*

CXXVI. All the natural products of the country may be exported from the licensed ports.

CXXVII. Foreign productions imported into the Republic may be re-exported, provided they have paid the import duties, or secured them according to the limitation established in Article LXVI.

CXXVIII. The national products are not subject to any duty whatever on their being exported.

CXXIX. The hours for loading, and the places at each of the licensed ports from which the loading is to take place, shall be the same as those appointed for the unloading and importation of foreign goods.

CXXX. To load a vessel, a written permit from the collector is necessary.

CXXXI. Should the vessel have landed cargo, the custody of the vessel prescribed in Article XXXIII shall continue.

CXXXII. Within the term fixed by the collector on granting the permit to load, the shipper shall deliver a manifest, in duplicate, specifying the number of packages, their marks, numbers, weight, and contents, likewise their market value, the vessel in which they are shipped, and the place to which destined.

CXXXIII. The examination shall be confined to such packages as may be suspected to contain articles different to those manifested, especially as regards foreign goods subject to import duties. The exporter shall declare the value and weight of the effects he exports, of which an entry shall be made for the formation of commercial statistics.

CXXXIV. At foot of the manifest, the clearance of the vessel shall be made out and signed by the collector and comptroller, and one of the copies delivered to the exporter along with the permit to load.

CXXXV. The cargo being on board, and notice given to the Custom-House that the vessel is ready to weigh anchor, the chief of the Coast Guard shall carry the register of the vessel on board, and having inspected the vessel and the account of the tide waiter, and convinced himself that no other effects have been embarked than those declared, he shall deliver the register to the master, and notify to him that he must imme-

diately leave the port ; of all the foregoing he shall inform the collector.

CXXXVI. When a vessel is ordered to sail, should she not do so owing to stress of weather, or owing to some other imperious or unforeseen circumstance, the collector shall place the guard he may deem necessary on board, and the expense shall be borne by the master of the vessel.

CXXXVII. The re-exportation of foreign merchandize on which duties have been paid or secured, shall be subject to the same rules and formalities laid down for the exportation of national products.

CXXXVIII. The executive power shall decree the special rules which it may consider necessary for the loading and transport of shipments destined for exportation at the inland and river ports.

CXXXIX. Of all exports a document shall be formed consisting of the following :—

1. Of the manifests delivered to the Custom-House.
2. Statements of examination.
3. Of the measures taken in cases of infraction of the laws and rules, and of the communications made to the judge and of the vouchers.
4. A statement classifying by articles all the shipments in a vessel, showing also the gross weight, and estimate of each article, and the port or ports for which they are shipped. These documents shall be sent to the Secretary of Finance for the object mentioned in Article XVII.

CHAPTER V.—*Of the transit and bonding of Foreign Merchandize.*

§ 1.—*General Rules.*

CXL. The executive power is authorized to conclude a Customs' Treaty with the Government of the Republic of Venezuela for the object of facilitating and making effective the collection of duties on foreign merchandize imported through the frontiers of both nations. This agreement shall be submitted to Congress for its approval.

CXLI. Foreign merchandize from Maracaibo for consumption in the United States of Columbia, shall only be imported by the way of Los Cachos, and entered at the Custom-House of San José de Cúcuta.

CXLII. All cargoes embraced in the foregoing Article shall be accompanied with a permit or clearance from the Custom-House of Maracaibo, and imported with all the formalities and precautions exacted by the executive power.

CXLIII. The importer or his representative at the time of presenting the permit or document, shall declare if the whole cargo is destined for the consumption of the Republic, or whether the whole or a part thereof is destined for Venezuela.

CXLIV. Merchandize for consumption in the Republic, shall be examined and delivered, and the duties liquidated in the same way as established by law for all merchandize imported into the Republic.

§ 2.—*Of Merchandize in transit for Venezuela.*

CXLV. Cargoes entered for transmission to Venezuela shall be subjected to the following formalities :

1. The importer shall deliver to the Collector of the Custom-House an invoice certified by the Consular Agent of the Republic in Maracaibo, containing all the particulars specified in Article XV; also a declaration that the packages are to be forwarded to Venezuela, and likewise the manifest as required by Article XXXVIII.

2. The Custom-House shall immediately copy into a book kept for the purpose the invoice and permit which should accompany it, after comparing them with the copy of the invoice sent by the Consular Agent by the first post. Any differences appearing shall be noted at the foot of the copy. The copy shall be signed by the collector, the importer, or his representative, and the agent of the foreign creditors, should there be one.

3. A copy of the documents mentioned in the foregoing clause shall be sent to the Finance Office by the first post, and, should there be at the Custom-House an agent of the foreign creditors, it shall be forwarded through him.

4. The Custom-House shall examine the cargo, limiting itself to verify the weight, marks, number, and description of each package.

5. Everything being correct the collector shall write a permit at foot of the pass, and shall therein express that within 10 days from the date a certificate must be delivered to him from the Custom-House of Táchira, to the effect that the goods stated in the pass have been there imported.

6. The examination of the merchandize having taken place, the account of import duties shall be made up, and the amount secured in the terms prescribed in this law. The cargo shall then be delivered to the importer.

7. When the whole cargo cannot be placed in the Custom-House immediately, the packages as they go on arriving shall be deposited therein until the total number have arrived. A charge of 20 cents on every 100 kilograms shall be levied on those deposited.

CXLVI. The executive power shall decree the rules it may deem necessary for the transportation of merchandize to the Custom-House of Cúcuta from that of the Táchira in Venezuela, or other places distinct from Maracaibo.

CXLVII. Whenever there should appear a difference between the survey of a cargo destined for the transit traffic of Venezuela and the invoice and manifest, or whenever the particulars contained in the said invoice and manifest should prove different, the cargo shall be considered as destined for importation into the Republic, and shall be proceeded with in the manner prescribed in the 6th section, chapter the 2nd, of this law.

CXLVIII. The provisions of Articles XVIII, XIX, and XX of this law are applicable to cargoes imported through the Custom-House of Cúcuta in transit for the territory of Venezuela.

CXLIX. On presentation in due time of the certificate of the Táchira Custom-House to the effect that the cargo has been imported there without any discrepancy, the Custom-House shall cancel the bonds given to secure the duties; in a contrary case the duties shall be collected according to the general rule.

CL. The only route for the transit traffic imported through the Custom-House of Cúcuta for that of Táchira, in Venezuela, is by way of the town of Rosaria, in the direction of San Antonio.

§ 3.—*Of Bonding at the Custom-House of Cúcuta.*

CLI. In the Custom-House of Cúcuta the importers may, when returning the account of duties handed to them by the collector, declare their intention to bond the whole or part of the cargo in the said Custom-House. In this case a promissory note at 6 months for the payment of the duties shall be given, and the packages bonded shall be stored in the warehouses of the Custom-House, that the importers may afterwards withdraw them for consumption in the Republic, or for exportation to Venezuela.

CLII. The storekeeper shall open an account for each shipment deposited, and note the packages as they are withdrawn for consumption or exportation, in virtue of orders issued by the collector on petition of the party interested. At the expiration of the 6 months the storekeeper shall close the account, and transmit it to the collector along with the original orders.

CLIII. The Custom-House shall also keep an account with the importer for the amount of duties on the shipment spoken of in the foregoing Articles, in which it shall go on crediting the duties on the goods withdrawn for exportation; at the end of the 6 months this account shall be closed, the goods on hand reputed as for consumption in the Republic, and the balance of duties collected.

CLIV. The parties interested, each time they wish to take goods out of bond, shall present a memorial to the collector, in



which shall be specified the mark, number, and weight of the package or packages, the shipment to which they belonged, and the bond given for payment of the duties. The collector shall on the same day give a permit, written at the foot of the memorial, and transmit it to the storekeeper, who, on delivering the packages, shall return it with the receipt of the party interested.

CLV. The time for presenting the certificate treated of in clause 5 of Article CXLV, shall be counted from the date in which the packages may have been taken out of bond.

CLVI. The bonding duty shall be 1 dollar for every 100 kilograms gross weight, whatever may be the time the merchandize may remain in store.

CLVII. Every time, from bonded merchandize, goods be taken out for home consumption, in conformity with the provisions of Article CLI, the duties caused by such goods taken out shall be paid in the same terms, and in conformity with the general rules established by the present code.

CLVIII. The memorials of which Article CLIV treats shall be forwarded to the Finance Office, together with the accounts of the packages, duties, &c., for the purposes stated in Article CXVI.

CLIX. Until the executive power provides the Custom-House of Cúcuta with stores or warehouses capable of containing the salt bonded at that place, the present regulations shall continue in force relative to the case.

#### CHAPTER VI.—*Of the Coasting Trade.*

CLX. All foreign merchandize may be transported from one licensed port to another, and from a licensed port to one not licensed, provided that the duties on such goods have been paid or secured.

CLXI. The hours of the day, and the places in which the loading shall take place, shall be the same as those appointed for the landing and importing of foreign goods from abroad.

CLXII. To commence loading a cargo, intended for another port of the Republic, a written permit from the collector is necessary.

CLXIII. Permission being granted, the chief of the Coast Guard shall make another visit of search to examine that the vessel is in ballast, or if there be only on board articles intended for exportation, or the effects which at the entry of the vessel by declaration of the captain, or as appears by the ship's manifest, are intended for other ports. The visit being concluded, the said chief shall leave a guard on board.

CLXIV. Within the time fixed by the collector on giving the permit to load, the shipper shall present a manifest in

triplicate of the merchandize he intends to transport, with all the particulars exacted by Articles XV and XXXVIII.

CLXV. The said manifests being presented, and the shipments examined as if they were an importation, observing the same forms and forwarding the documents prescribed in the respective Articles of this law.

CLXVI. The captain or supercargo of a vessel shall deliver in triplicate to the collector the ship's manifest of the cargo he has received in the same terms prescribed in Article XIV, and, after comparing these with the respective examinations, and finding all the documents in conformity with each other, the collector shall put a certificate to that effect at foot of each copy of the ship's manifest, and return one of them to the captain. One of the remaining two copies shall be remitted to the Finance Office through the agent of the foreign creditors, should there be one, and the other shall be annexed to the ship's clearance papers.

CLXVII. The Collector of Customs shall forward to the respective Custom-Houses a copy of what is treated of in Article LXV, and one of the manifests relating thereto. Of the other two copies of the cockpit, one shall be forwarded to the Finance Office, through the agent of the foreign creditors, or directly to the same by the first post in default of the agent.

CLXVIII. The cargo being put on board, and notice given to the Custom-House that the vessel is ready to weigh anchor, the chief of the Coast Guard shall go on board, and, after assuring himself by the account kept by the tidewaiter, and due examination of the vessel, that all is correct, he shall deliver to the captain the manifest, certified by the Custom-House, with the requisite clearance from that office.

CLXIX. The provisions of Article LII are likewise applicable to this chapter.

CLXX. On the arrival of vessels trading coastwise at the licensed ports, the manifest of the merchandize brought from the port whence the vessel sailed, shall be exacted at the time of the visit; the merchandize shall be landed and again examined with the same formalities as if they had been imported from a foreign port.

CLXXI. When vessels mentioned in the foregoing Article have on board merchandize destined for foreign ports, and shipped at the place from which the vessel sailed, the manifest relative to such goods, with a certificate of the exportation of the Custom-House, shall be exacted from the master or supercargo, the respective employé may compare on board the manifest with the packages therein mentioned.

CLXXII. Should the merchandize treated of in the preceding Article not have been imported into any national port, and consequently not being a case of re-exportation from such

port, they shall be proceeded with in the manner provided for in the chapter relative to imported goods.

CLXXIII. Whenever a vessel should leave in ballast for a licensed port, bound to another licensed port, the master, supercargo, or consignee shall obtain a certificate from the Collector of the Custom-House, to the effect that the vessel leaves in ballast; of this circumstance advice shall be given by the first post to the port to which she is bound; in this case, as well as that treated of in Article CLXVII, the Customs of the latter port shall communicate to the former the arrival of the vessel, with all other particulars which may have occurred at the last-mentioned port to the vessel.

CLXXIV. The Custom-Houses of the ports in which vessels trading coastwise enter and leave, may make use of seals and counter-marks variable at will, with the object of insuring that the goods declared for such trade are the same as those imported at the ports for which she is bound.

CLXXV. The Articles CLXI to CLXVI, and CLXIX, are applicable to vessels which load with foreign merchandize imported into licensed ports, and bound to coast ports which have not been licensed for foreign trade.

CLXXVI. Small craft coming from unlicensed ports to licensed ports shall be only inspected on their arrival, if the collector or other chief of the Custom-House shall deem it necessary to do so.

CLXXVII. The small craft trading between unlicensed ports shall not be subjected to any examination by the national authorities.

CLXXVIII. Of the entry and departure of vessels which trade coastwise, a statement shall be made up, containing as follows:

1. The certified manifest, if the statement be made up at the port of arrival, or the copy signed by the captain, should it appertain to the Custom-House of the port of her departure.
2. The information treated of in Articles CLXVII to CLXXIII.
3. A copy of each of the cockets.
4. A copy of each of the acts of inspection.
5. Copy of the resolutions taken in case of infraction, and of the communications and vouchers, sent to the competent judge.
6. The other documents which, in conformity with this law, should be exacted or issued by the respective Custom-Houses.

These statements should be remitted to the Finance Office, for the purposes mentioned in Article CXVII.

#### CHAPTER VII.—*Of Mercantile Statistics.*

CLXXIX. The Consular Agents of the Republic residing in

London, Liverpool, Havre, Bordeaux, Marseilles, Genoa, Hamburg, Bremen, New York, Kingston (Jamaica), St. Thomas, Curaçao, and Maracaibo, shall send every month to the Finance Office, through the medium of the Foreign Office, the following information :

1. A list of the merchant vessels which have cleared during the month, bound to ports of the Republic, specifying the name, tonnage, and flag of each vessel, with data, as exact as possible, of the nature and value of the cargo, and of the mercantile houses to which they are consigned. The Consular Agents of Curaçoa, St. Thomas, and Maracaibo, shall remit also an extract of the ship's manifest, relative to the part of the cargo shipped for the port of Cúcuta, by way of Maracaibo.

2. Of the importations at the respective ports of the products of this Republic, with the other particulars which have just been mentioned with regard to exportations.

3. Any official documents which may be published in the foreign countries, if they contain data relative to the trade of the Republic.

4. All other information which the Consular Agents may judge serviceable for the formation of the mercantile statistics of the Republic.

CLXXX. The Collectors of the Custom-House shall remit monthly to the Finance Office,

1. A statement of the entries and departures of vessels, with the name, tonnage, flag, and of the place whence they come and whither bound.

2. A statement of the merchandize intended for the coast trade.

CLXXXI. The Finance Office shall publish, through the medium of the Customs, at the expiration of the fiscal year, all the data specified in the foregoing Articles, and the statements mentioned in Articles CXVI and CXXXIX, and they shall be included in the annual report to be presented to Congress ; the said data being classified and distributed in the following manner :

1. A statement of the importations, specifying the articles of which they consist, number of packages, gross weight, value and place whence they come.

2. A statement of the exports, specifying the articles of which they consist, number of packages, gross weight, value, and destination.

3. A statement relative to vessels, with a specification of the tonnage, flag of the vessel, the place whence they come, and whither bound. All the foregoing in conformity with the Custom-House reports.

4. A sheet containing a note of importation according to



the Consular advices, specifying the value thereof, and whence they come.

5. A sheet relative to exportations in conformity with Consular advices, and specifications as to whence they were bound, and their value.

6. A sheet relative to vessels, in conformity with the same advices, with a specification of their tonnage, flag, the place whence they come, and whither bound.

7. A sheet relative to the coasting trade.

8. A general summary of the importations, according to Custom-House data, with a specification of the articles, of what they consist, number of packages, gross weight, and value.

9. Summary of the importations, according to whence they come, with a specification of the articles, number of packages, gross weight, and value, conformably to the data of the Custom-Houses.

10. A general summary of exports, with a specification of the articles of what they consist, number of packages, gross weight, and to what place exported.

11. Summary of exportations, according to their destination, expressing the articles, number of packages, gross weight, and value.

In each of the sheets treated of in this Article, a comparison shall be made with the data of the sheets of the preceding year, specifying the increase or decrease.

## CHAPTER VIII.—*Of Infringements, Penalties and Rewards.*

### § 1.—*Of Infringements.*

CLXXXII. The infringements which may be committed in commercial operations, subject to the Customs' regulations, are classified and divided in the manner and in the following cases :

1. The want of the certified manifest of the respective Consular Agent, or his substitute, of those which ought to be certified by the Customs' of the Republic, or of those certificates and notes which ought to be made in the said documents by the Custom-Houses.

2. Want of the register, or of the ship's articles.

3. Want of the certificate treated of in Article CLXIV.

4. Landing in ports or places not licensed, except in trading coastwise, all the formalities for this traffic having been complied with, relative to this traffic.

5. Landing, importing, and conveying merchandize in the licensed ports, during hours or at places different to those assigned, or without the necessary permits or passes.

6. Loading or transport of foreign merchandize for the

coast trade, or for exportation, at the licensed ports, during hours or at places different to those fixed upon, or without the examination, permit, or other necessary documents.

7. The same operations specified in the foregoing clause, regarding national products for exportation.

8. Breaking of the seals placed by the employés of the Customs on the hatchways and other places of the vessels.

9. Resistance to leaving the port, or delaying so doing.

10. Culpable delay in the discharge of the vessels.

11. Carrying or landing effects in ports different to those mentioned in the ship's manifest.

12. Deficiency in the data which the manifest relative to importation, exportation, and the coast-trade, ought to contain.

13. A greater or lesser number of packages appearing on board or landed, than those specified in the manifest.

14. Any inexactitude in the same documents, relative to the gross weight of the packages.

15. Carrying into the interior, or to other places, foreign merchandize, without the documents for such purpose, or by ways or in places and at hours different from those established.

16. The going on board of persons not authorized to do so.

17. Want of certified invoices or manifests which should be presented in due time, for the effect of importation or for the coast trade.

18. Want of deficiency in, or inexactitude of, the manifests which should be presented for the object of exportation or re-exportation.

19. Deficiency or inexactitude in the data which the invoices and manifests relative to importations and coast trade should contain, when these data do not refer to the number of packages, their gross weight, or the class of merchandize according to the tariff.

20. The same deficiency in regard to the class of merchandize, according to the tariff.

21. The same deficiency in regard to the gross weight of the packages.

22. The same deficiency in regard to the number of packages of which the cargo is composed.

23. Any inexactitude with regard to the gross weight of the packages as may result in examination.

24. Any inexactitude relative to the class of effects conformable with the tariff, as may appear by the examination.

25. The appearance of more or less packages or of different packages than those enumerated in the invoices and manifests of importation or for coast trade.

26. The importation of prohibited articles.

27. Want of or inexactitude in the document required by Article LXXXIV.

28. Extraction of merchandize from the Custom-House stores without the requisite formalities.

29. Want of undue delivery of the certificate required by clause 5 of Article CXLV.

30. Loading transport or importation of foreign merchandize coastwise in the same vessel in which they have been imported, and during the same voyage.

### § 2.—*Of Penalties.*

CLXXXIII. In the cases specified in the foregoing Article the following penalties shall be applied:

In cases 1 and 3, the penalties established by Article XXV.

In case 2, the confiscation of the vessel, sails, and rigging.

In case 4, the confiscation of the vessel, sails, rigging, and merchandize.

In case 5, the confiscation of the merchandize, and if the captain be culpable, confiscation likewise of the vessel and rigging.

In case 6, a fine equal to the value of the merchandize, which shall be paid half by the captain of the vessel, and half by the owner. And should the owner not appear, all the merchandize shall be confiscated.

In case 7, fines on the parties culpable, from 50 to 1,000 dollars.

In case 8, a fine on the captain, from 100 to 1,000 dollars, without exempting him from other responsibility which he may have incurred.

In case 9, a fine on the Captain, from 100 to 1,000 dollars, and the guard shall be doubled at his cost.

In case 10, a fine on the Captain or consignee, of from 50 to 1,000 dollars, and payment of the cost of the guard from the moment the delay commences to take place.

In case 11, confiscation of the goods, and fine on the Captain of from 100 to 1,000 dollars.

In case 12, a fine on the Captain of from 200 to 1,000 dollars, and cost of the guard, which shall be doubled.

In case 13, the penalties established by Articles LX and LXI, and in case of not being able to obtain knowledge of the weight of the packages, a fine on the Captain of 25 dollars for every missing package.

In case 14, the highest duty payable by tariff shall be charged to the Captain for the differences which may result in the weight, as per Article LXXVII.

In case 15, confiscation of the merchandize and of the vehicles in which the transport or carriage may be made.

In case 16, a fine of from 5 to 50 dollars on the Captain and the person who may go on board.

In cases 17, 20, 21, and 22, the penalties established by Article LXXIV. Should it not be possible to ascertain the weight of the packages missing, the importer shall pay a fine of 25 dollars for each missing package.

In case 18, a fine of from 10 to 100 dollars on the person who shall deliver the manifest.

In case 19, a fine of 10 per cent. on the amount of duties.

In case 23, the penalties established respectively by Articles LXXIX and LXXX.

In case 24, the penalty established by Article LXXVII.

In case 25, the penalties established by Articles LX and LXI shall fall on the importer.

In case 26, the penalties established by Article XIII.

In case 27, the penalties established by Article LXXXIV.

In case 28, a fine shall be levied upon all merchandize taken out at the rate of 25 dollars for each package without exemption of the payment of the import duties. Should the merchandize be taken away before the examination, all shall be calculated for the formation of the account of duties as belonging to the highest class.

In case 29, the duties calculated shall be collected the same as if the goods had been imported for the consumption of the Republic.

In case 30, the cargo shall be confiscated, and the Captain fined in 100 to 1,000 dollars.

CLXXXIV. The persons committing the infringements of clauses 4, 5, 11, 15, 26, 28, and 30 of Article CLXXXII, shall also incur the penalty of suspension of the right of doing business of a mercantile kind, personally or through another party, or of doing any banking or exchange business. The suspension shall continue for one year, if the fraud does not exceed the value of 500 dollars, and one month more for every 50 dollars in excess of the 500 dollars.

CLXXXV. Whenever the effects shipped, landed, or carried off fraudulently, should not be seized, but the commission of the fraud is proved, the defrauder shall pay to the national treasury a sum equal to the value of the said effects, if this can be ascertained, and if not, a fine of 100 to 2,000 dollars, in relation to the probable amount of the value of the effects in proportion to the number of packages and other data obtained relative to the fraud.

CLXXXVI. In cases of fraud or violence on the Custom-House revenues, not only the authors of the fraud or violence, but also the accomplices or aiders in it, shall be responsible collectively to the national treasury for the sums not received.

CLXXXVII. When a person who has been suspended from



the right to do business should violate the suspension personally, or through another person, he shall pay a fine of from 5 to 500 dollars every time that he does any business, and in case of a repetition, he shall be banished to the distance of 20 miriametres from the place in which the infringement has been committed, during the whole time that the suspension shall last.

CLXXXVIII. All fines imposed for infringement of the law relative to the Customs' revenues, shall form part of the product of the respective Custom-Houses.

CLXXXIX. Whenever deposits of foreign merchandize be found in houses, cabins, huts, or other places on the coast, which from proximity to a port are liable to suspicion, such merchandize shall be considered as in the clause 4, of Article CLXXXII, unless their legitimate importation be proved.

CXC. The vessel and all her appurtenances shall answer for the fines and pecuniary penalties imposed on the captain.

§ 3.—*Of the mode of proceeding and jurisdiction of persons in cases of smuggling.*

CXCI. Any employé who, in the exercise of any of the acts specified in this code, or in the regulations decreed by the Executive Power, should become cognizant of any infringement liable to a penalty having been committed, or that there is an intention to commit any such, shall, should he have judicial functions, proceed at once to institute an investigation into the matter, procure all the evidence tending to clear up the case, and transmit the same to the competent judge, who shall also be put in possession of the goods embargoed, if any.

CXCII. Should the employé who discovers the infringement, or who has received notice thereof, not be legally authorized to take measures, he shall give the necessary information to one who is so authorized; preferring, in every case, the collectors of the Custom-Houses, and shall also communicate what has occurred to the Governor of the State, the agent of the foreign creditors, and the farmer of the duties, should there be one, that they may exercise due vigilance over the functionary who forms the indictment, and over the judge who tries the case.

CXCIII. The collector, comptroller, surveyor, and chief of the coast guards at each Custom-House, are primary legal authorities in cases of smuggling, but they may be exempted from the exercise of such functions when impeded by their ordinary occupations.

CXCIV. The judges of the primary court who have jurisdiction at the place where the Custom-House exists, or at those places where the fraud is committed, or where the seizure is made, shall take cognizance of all cases of infraction, as expressed, in clauses 2, 4, 5, 6, 8, 11, 15, 25, 26, 28, and 30, of Article CLXXXII, and of the others in which suspension of the

right to do business is imposed, regulating their proceedings to the laws of the respective State.

CXCV. In all the cases not mentioned in the preceding Article, cognizance shall appertain to the collector, who shall decide the matter extrajudicially.

CXCVI. In cases of smuggling, the comptroller shall act as prosecutor, and the agent of the foreign creditors, and the farmer, shall also be heard in the case.

CXCVII. The collectors of the Custom-Houses shall forward to the finance officer through the agent of the foreign creditors, or directly, should there be no agent, a certified copy of all sentences pronounced in cases of smuggling.

#### § 4.—*Of Rewards.*

CXCVIII. In cases of the confiscation of vessels or of merchandize, or of both, the value of the things confiscated shall be distributed in the following manner:

1. Should it be a vessel with merchandize or effects, or without these, 25 per cent. of the proceeds to the discoverer of the fraud who makes it known, whether he be an employé of the Customs or not.

2. Should it be merchandize or effects which are on board, 25 per cent. of the proceeds to the discoverer who denounces them.

3. Should the confiscation be of merchandize which has been landed or taken out of the Custom-House stores, or carried into the interior, or taken out of the bonded stores, and of the vehicles which have been seized, 25 per cent. of the proceeds shall be paid to the informer, and 25 per cent. to the captor, whether he be a Custom-House employé or not.

4. The remainder of the proceeds of these confiscations shall belong to the Custom-Houses.

CXCIX. Of the fines detailed in clauses 7, 8, 11, 13, 16, 28, and 30, half shall be given to the informer if he be also the captor, but if the informer and the captor be different persons, 25 per cent shall belong to each.

#### CHAPTER IX.—*Sundry Resolutions.*

CC. At the ports where there are no Consular Agents of the Republic, nor of Chili, whose Consular Agents are bound by Treaty to certify the invoices and ship's manifests, the documents mentioned in Articles XIV and XV shall be presented to the Consular Agent of a friendly nation, should there be one at the port.

CCI. When the case of the preceding Article occurs, the Custom-House shall exact the original bills of lading, and compare the ship's manifest with them.

CCII. In regard to vessels which arrive at one of the licensed ports, not enjoying immunities, and coming from a free port, the same proceedings shall take place as if she had come from a foreign port.

*Paragraph.*—The national postmasters at the free ports shall perform the duties of a Consular Agent relative to the certificates treated of in Articles XIV and XV, and in all other particulars assigned to such agents by this code.

CCIII. In the maritime Custom-Houses there shall be kept a registry of visits made to vessels, and of all the particulars relative thereto. This book shall be initialed in every page by the collector, the chief of the coast guard, and the agent of the foreign creditors, should there be one, and these shall also sign all the entries made.

CCIV. The ballast of one vessel shall not be transhipped to another, and shall not be subject to duty when not consisting of articles intended for the consumption of the Republic; but should it consist of articles destined for such consumption, it shall be liable to duty and like all other merchandize must be accompanied with the necessary documents.

CCV. In regard to the effects sent by way of Salazar, for exportation at the port of Los Cachos, the presentation of which at the Custom-House of Cúcuta would be costly and onerous to the exporter, the following regulations shall be observed :

1. Application to the Custom-House for permission to export on handing the requisite manifests.

9. The Custom-House shall write the permit on one of the copies of the manifest, and return it to the exporter.

3. The tidewaiter who may be stationed at the port of Los Cachos shall, with this manifest, examine the packages, and if no difference result, the exportation shall be permitted, notice thereof given to the Custom-House.

CCVI. A similar proceeding shall be adopted in regard to shipments for exportation at the port of Zispata, delivering the manifests at, and obtaining the permit from, the Custom-House of Carthagena, from whence a coast guard officer shall be sent on board of the vessel to make the survey.

CCVII. That a consignee may make responsible the owner of merchandize, he shall hold a sufficient authority from said owner. But a consignee may make himself responsible without such authorization, by presenting the requisite sureties.

CCVIII. In cases of doubt in the tariff, the highest rate of duty shall be charged.

CCIX. The Executive Power shall issue the necessary regulations for the carrying out of this code, and if the organic fiscal law specifies nothing in regard to the monthly visits of inspection which should be made to the Custom-Houses, the

Executive Power shall decree what it may deem necessary in the case.

CCX. The Executive Power shall immediately endeavour to make an agreement with the Corporation of the district of San José de Cúcuta, that the management of the store-houses belonging to the said district be placed under the inspection and direction of the Custom-House. Should it not be possible to make this agreement, the Executive Power shall take the measures it may deem proper in the matter, appropriating the said store-houses in a legal manner, if necessary.

CCXI. The Executive Power is also authorized :

1. To assign to the Consular Agents, viz.: at Liverpool, a salary not exceeding 1,200 dollars; at Maracaibo, New York, Havre, and St. Thomas, salaries not exceeding 960 dollars for each place; and salaries not exceeding 480 dollars each for those in London, Bremen, Hamburg, Bordeaux, Marseilles, Lima, and Curaçoa.

2. To increase the *personnel* of the Custom-Houses, where such is wanted.

3. To remove the Custom-Houses to other places, except those of Santa Martha, Carthagena, Rio Hacha, Cúcuta, and Buenaventura, and to suppress those where the income does not pay the expenses.

CCXII. The Executive Power shall take care to prevent any imposition by the Governments of the States of formalities, exactions, and charges whatever, under any pretext, upon the commercial operations subjected to the Custom-House regulations before the merchandize may have been offered for the consumption of the State.

*Paragraph.*—The foregoing does not exclude the collecting of tolls or other charges for the use of the public highways maintained by the State.

*Paragraph.*—Nor are excluded charges for the use of buildings belonging to private individuals, such as stores, bridges, canals, roads, &c., provided that such charges be in conformity with the respective privileges granted to such individuals, or that the use of the said buildings be not made obligatory either by the terms of the privilege, or that the buildings are so constructed that it be not possible to avoid making use of them as a public highway.

CCXIII. For the performance of the duties ascribed to the Customs' Department in the Finance Office, the Executive Power shall, should it be deemed necessary, appoint a clerk, whose especial business shall be to examine all the documents remitted to the said office in virtue of this code, and to make up the commercial statistics. The salary of such clerk shall not exceed 1,000 dollars per annum.

CCXIV. This law shall commence to take effect at 90 days



after its date, and from the day it is enforced all other anterior organic Customs' laws of import duties and tonnage dues shall be annulled.

CCXV. The Executive Power shall render an account to the next Congress of the use it may have made of the authorizations conferred by this law.

Bogotá, the 19th day of May, 1864.

ANTONIO FERRO, *President of the Senate.*

JOSE MARIA SAMPER, *President of the Chamber of Representatives.*

C. BENEDETI, *Secretary of the Senate.*

ALEJANDRO CORDOVA, *Secretary of the Chamber of Representatives.*

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*Tariff for the Collection of Import Duties,  
(Annexed to the Custom-House Code.)*

Import duties shall be collected on the gross weight of packages containing foreign merchandize, for which purpose they are classified as follows:

1. Articles liable to 2½ cents per kilogram, including sea-salt when so stated.
2. Articles liable to 5 cents per kilogram.
3. Articles liable to 10 cents per kilogram.
4. Articles liable to 30 cents per kilogram.

When an article classified in one of the three first classes should contain a part of another material subject to a different duty, it shall be considered as belonging to the class mentioned, or to the principal material of which it is composed. Thus, fowling-pieces and knives shall be liable to the duty on wrought iron of the third class, although the butt ends and handles should be of ivory, wood, or other material.

*First Class.*

Pitch and tar.

Rice, Indian corn, potatoes, vegetables, and fresh fruit.

Pumps and hydraulic machines, with their respective tubes or hose.

Carriages of all descriptions, and harness.

All kinds of salted and smoked meats and fish.

Empty demi-johns, and large and ordinary sized bottles of the common green glass.

Tow or oakum.

Iron and steel, unwrought.

Wheat, Indian corn, and oats, in flour.

Timber not declared free.

Marble, jasper, and alabaster, manufactured or unmanufactured.

Printing presses, types, apparatus, and utensils for printing purposes, not mentioned or included in any other class.

Slates and slate pencils.

Empty pipes, barrels, and cases.

Yellow or blue earth in barrels.

Sea-salt shall pay only 8 cents the miriagramme, with the exception of that mentioned in clause 7 of Article XCV of this code.

Saltpetre.

Empty sacks and bags of the coarsest materials.

Chalk or gypsum, in whatever form.

*Second Class.*

Lamp oil or gas for lighting purposes.

Food of all kinds, prepared or unprepared, not included in the first class, and the substances necessary for seasoning them.

Anise.

Blacking.

Copper or bronze in ingots, pigs, or sheets, and manufactured into stills, bells, boilers, stirrups, and mortars.

Hempen cables, cordage, and rigging.

Beer, wine, liquors, and all kinds of liquids not embraced in any other class.

Tin, lead, and zinc, unmanufactured, in bars, pigs, and sheets, in shot, or in articles weighing more than one kilogram.

Iron manufactured into agricultural and mining tools, nails, taxes, brads, screws, hinges, padlocks, stoves, ovens, or cooking apparatus, kitchen utensils, and all kind of articles which come under the denomination of "tin ware."

Tin plates, or sheet iron tinned.

Common resin, tallow, or oil soap.

Earthenware.

Wooden furniture.

Tanned and untanned hides.

Paints in powder or oil.

Gunpowder.

Printing-paper, unglazed paper, sand-paper, and wrapping-paper.

Unmanufactured tallow, or manufactured into candles and stearine candles.

Window glass, crystal and cut glass of whatsoever form, not specified in any other class.

*Third Class.*

Steel, iron, copper, lead, zinc, tin, and bronze, manufactured in whatever form, not mentioned in the foregoing classes.

Quicksilver.

Wax and sperm, in casks or candles.

Fine and coarse canvas, sail-cloths, osnaburgs, cregueles, manufactured of hemp.

Drugs and medicines.

Pianofortes and organs.

Pencils, of a material or form not included in any of the foregoing classes.

Printed books and books in blank.

Paper of all kinds not already mentioned.

Tobacco, in leaf, roll, or cake for chewing.

*Fourth Class.*

All merchandize not free of duty, or mentioned or embraced in any of the foregoing classes, shall be considered as belonging to the fourth class.

Bogotá, 19th May, 1864.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Books, &c., and on Patterns or Samples of Merchandize of no intrinsic value, transmitted to or from the United States of Colombia. January 25, 1866.*

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, cap. 96,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, parliamentary proceedings, and printed papers transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post, and by the same Act powers were given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient to authorize the transmission by the post between the United Kingdom and the United States of *Columbia*, of certain packets, and for that purpose to make certain regulations in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us, in and by the said hereinbefore-recited Acts of Parliament, and each of them, and of all other powers enabling us in this behalf, do by this Warrant,

\* See Vol. 5. Page 248.

† See Vol. 8 Page 247.

under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows; that is to say:

1. All packets consisting of printed papers (other than British newspapers), or consisting of patterns or samples of merchandize of no intrinsic value, posted in any part of the United Kingdom, addressed to the United States of *Columbia*, or posted in the United States of *Columbia*, addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and the United States of *Columbia* by British packet boat, subject to the several rates of postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid, an uniform single rate of postage of 3*d.*;

And on every such packet, if exceeding 4 ounces in weight, there shall be charged, taken, and paid, progressive and additional rates of postage as follows; that is to say:

On every such packet, if exceeding 4 ounces and not exceeding  $\frac{1}{2}$  a pound in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such packet, if exceeding  $\frac{1}{2}$  a pound and not exceeding 1 pound in weight, there shall be charged, taken, and paid, 4 rates of postage;

And for every additional  $\frac{1}{2}$  a pound in weight of any such packet above the weight of 1 pound, there shall be charged, taken, and paid, 2 additional rates of postage, and every fractional part of such additional  $\frac{1}{2}$  a pound in weight shall be charged as an additional  $\frac{1}{2}$  a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

2. Every packet consisting of printed papers (other than British newspapers) which shall be transmitted by the post under the authority of this Warrant, shall be sent without a cover, or in a cover open at the ends or sides, and it may contain any number of separate books, or other publications, prints, or maps, and any quantity of paper, parchment, or vellum, and the books or other publications, prints, or maps, may be either printed, written, or plain, or any mixture of the 3, and all legitimate binding, mounting, or covering of a book, publication, print, or map, or of a portion thereof, shall be allowed to pass by the post, whether such binding, mounting, or covering be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise) in the case of books, and whatsoever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto; but no packet



shall contain any written letter, nor any communication in the nature of a letter closed or open, nor any inclosure sealed or otherwise closed against inspection, nor any communication of the nature of a letter written in or upon any such packet or cover thereof, nor shall any packet consist of or contain any photographs, drawings, prints, or other contents, which may be obviously of an obscene character.

3. Every packet consisting of patterns or samples of merchandize which shall be transmitted by the post under the authority of this Warrant, shall be so transmitted in conformity with, and under and subject to the several orders, directions, regulations, and conditions hereinafter contained; that is to say:

No pattern or sample being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

There shall be no inclosure sealed or otherwise closed against inspection, nor any other inclosure not authorized by this Warrant sent in or with any such packet.

There shall be no writing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices.

All such packets shall be sent in covers open at the ends, so as to be easy of examination; nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be inclosed in bags of linen, paper, or other material, tied at the neck, but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

4. No packet which shall exceed 2 feet (British) in length, or 1 foot (British) in breadth or depth, shall be transmitted by the post under the provisions of this Warrant.

5. Every packet transmitted by the post under this Warrant and posted in the United Kingdom, shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

6. The postage of all such packets as aforesaid, posted in the United Kingdom, shall in every case be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall, in every case, be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the value or amount of the postage duty payable thereon, under or by virtue of this Warrant.

7. If any packet shall be posted or shall be transmitted by the post under the provisions of this Warrant, otherwise than

in conformity with the several conditions and regulations established by or under the authority of this Warrant relating thereto, the same shall and may be detained and opened, and shall be returned or given up to the sender thereof.

8. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, whenever it may be necessary so to do, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

9. In all cases in which any question shall hereafter arise whether any packet or anything contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

10. The term "weight" used in this Warrant shall mean British weight, and the several other terms and expressions used in this Warrant shall be construed to have the like meaning, in all respects, as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty, chapter 96.

11. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

12. This Warrant shall come into operation on the 1st day of February, 1866.

Whitehall, Treasury Chambers, the 25th day of January, 1866.

E. H. KNATCHBULL-HUGESSEN.  
LUKE WHITE.

*TREATY of Friendship, Commerce, and Navigation, between Great Britain and the United States of Colombia. Signed in the English and Spanish Languages, at London, February 16, 1866.*

HER Majesty the Queen of      SU Majestad la Reina del  
the United Kingdom of Great      Reino Unido de la Gran Bretaña

\* Ratifications exchanged at London, October 17, 1866.

Britain and Ireland, and the United States of Columbia, being desirous to maintain and improve the relations of good understanding which happily subsist between them, and to promote the commercial intercourse between their respective subjects and citizens, have deemed it expedient to conclude a Treaty of Friendship, Commerce, and Navigation, and have for that purpose named as their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Knight of the Most Noble Order of the Garter, Knight Grand Cross of the Most Honourable Order of the Bath, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Thomas Milner Gibson, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations:

And the Citizen President of the United States of Columbia, Thomas Cipriano de Mosquera, Grand General of the Union, General-in-Chief in the Columbian Guard, a Senator, a Member of the Order of the Liberator of Cundinamarca, of those of the South of Columbia, of

é Irlanda, y los Estados Unidos de Colombia, deseando mantener y estrechar las relaciones de buena inteligencia que felizmente existen entre ellos, y promover las relaciones comerciales entre sus respectivos súbditos y ciudadanos, han creído conveniente concluir un Tratado de Amistad, Comercio y Navegación, y con este objeto han nombrado sus respectivos Plenipotenciarios, à saber:

Su Majestad la Reina del Reino Unido de la Gran Bretaña é Irlanda, al Mui Honorable Jorje Guillermo Federico, Conde de Clarendon, Baron Hyde de Hindon, Par del Reino Unido, Miembro del Mui Honorable Consejo Privado de Su Majestad Británica, Caballero de la Mui Noble Orden de la Jarretera, Caballero Gran Cruz de la Mui Honorable Orden del Baño, Secretario Principal de Estado de Su Majestad Británica para los Negocios Extranjeros; y al Mui Honorable Thomas Milner Gibson, Miembro del Mui Honorable Consejo Privado de Su Majestad Británica, Miembro del Parlamento, Presidente de la Comision del Consejo Privado para los Negocios de Comercia y de Colonias Extranjeras;

Y el Ciudadano Presidente de los Estados Unidos de Colombia, á Tomas Cipriano de Mosquera, Gran General de la Union, General en Jefe en la Guardia Colombiana, Senador, de los Libertadores de Cundinamarca, de los del Sur de Colombia, de los del Peru, condecorado

those of Peru, decorated with the Medal of Tescua, with that of Barbacoas, and with the Cross of Cuaspud, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :

ART. I. There shall be a perfect, firm, and inviolable peace and sincere friendship between Her Britannic Majesty and the United States of Columbia, throughout the whole extent of their possessions and territories, and between their subjects and citizens, respectively, without distinction of person or place.

II. There shall be between all the dominions and possessions of the two High Contracting Parties, reciprocal freedom of commerce and navigation. The subjects and citizens of each of the two Contracting Parties, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other, to which other foreign subjects or citizens are or may be permitted to come, upon the same terms and under the same conditions as those of the most favoured nations ; and shall, throughout the whole extent of the dominions and possessions of the other, enjoy the same rights, privileges, liberties, favours, immunities and exemptions, in matters of commerce and navi-

con la Medalla de Tescua, con la de Barbacoas y con la Cruz de Cuaspud, Enviado Extraordinario y Ministro Plenipotenciario cerca de Su Majestad Británica ;

Quienes, despues de haberse comunicado sus respectivos plenos poderes, y encontrádolos en buena y debida forma, han convenido y concluido los siguientes Artículos :

ART. I. Habrá una paz perfecta, firme é inviolable, y amistad sincera entre Su Majestad Británica y los Estados Unidos de Colombia, en toda la estension de sus posesiones y territorios, y entre sus súbditos y ciudadanos, respectivamente, sin distincion de lugares ni personas.

II. Habrá entre todos los dominios y posesiones de las dos Altas Partes Contratantes, libertad recíproca de comercio y navegacion. Los súbditos y ciudadanos de cada una de las Partes Contratantes, respectivamente, podrán libremente, y con toda seguridad, venir con sus navios y cargamentos á todos los lugares, puertos y rios, en los dominios y posesiones de la otra, á los cuales sea permitida la entrada á otros súbditos y ciudadanos extranjeros, y en los términos y con las condiciones con que lo hagan los de la nacion mas favorecida ; y gozarán, en todos los dominios y posesiones de la otra, de todos los derechos, privilegios, libertades, favores, inmunidades y exenciones, en materias de comercio y navegacion, de que gozen, ó puedan



gation, which are or may be enjoyed by native subjects or citizens generally.

III. No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty, of any article the produce or manufacture of the dominions and possessions of the United States of Columbia, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of the United States of Columbia, of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than are or may be payable on the like article, the produce or manufacture of any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the Contracting Parties into the dominions and possessions of the other, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country.

IV. No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties, on the exportation of any article to the dominions and possessions of the other, than such as are, or may be, payable on the exportation of

gozar, los súbditos ó ciudadanos nacionales en general.

III. No se impondrán otros, ó mas altos derechos, sobre la importacion en los dominios y posesiones de Su Majestad Británica, de cualquier artículo que sea el producto ó de manufactura de los dominios y posesiones de los Estados Unidos de Colombia, de cualquier lugar que llegue; ni tampoco se impondrán otros, ó mas altos derechos, sobre la importacion en los dominios y posesiones de los Estados Unidos de Colombia, de cualquier artículo que sea el producto ó de manufactura de los dominios y posesiones de Su Majestad Británica, de cualquier lugar que llegue, que los que se pagan, ó puedan pagarse, sobre la importacion de un artículo semejante que sea el producto ó de manufactura de cualquiera otro pais extranjero; tampoco se impondrá, ni mantendrá, prohibicion alguna para la importacion, en los dominios y posesiones de una de las Partes Contratantes, de cualquier artículo que sea el producto ó de manufactura de la otra, que no se haga igualmente extensiva á la importacion de un artículo semejante que sea el producto, ó de manufactura, de cualquiera otro pais.

IV. No se impondrán otros ó mas altos derechos ó impuestos, en los dominios y posesiones de una de las Partes Contratantes, sobre la exportacion de cualquier artículo á los dominios y posesiones de la otra, que los que se paguen, ó puedan pagarse, sobre la exportacion

the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other which shall not equally extend to the exportation of the like article to any other country.

V. The subjects or citizens of one of the Contracting Parties shall enjoy, in the dominions and possessions of the other, equality of treatment with native subjects or citizens in all that relates to the transit trade; and also in regard to warehousing, bounties, facilities, and drawbacks.

VI. All articles which are or may be legally importable into the ports of the dominions and possessions of Her Britannic Majesty in British vessels, may likewise be imported into those ports in Columbian vessels, without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in British vessels; and, reciprocally, all articles which are or may be legally importable into the ports of the dominions and possessions of the United States of Columbia in Columbian vessels, may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported

de un artículo semejante á cualquiera otro país extranjero; tampoco se impondrá prohibición alguna para la exportacion de cualquier artículo de los dominios y posesiones de una de las Partes Contratantes, á los dominios y posesiones de la otra, que no se haga igualmente extensiva á la exportacion de un artículo semejante á cualquiera otro país.

V. Los súbditos ó ciudadanos de una de las Partes Contratantes gozarán, en los dominios y posesiones de la otra, del mismo tratamiento, en todo lo que tiene relacion con el comercio de tránsito, de que gozan los súbditos ó ciudadanos nacionales; lo mismo sucederá en lo relativo á almacenaje, premios, facilidades y descuentos.

VI. Todo artículo que sea, ó pueda ser legalmente importado en los puertos de los dominios y posesiones de Su Majestad Británica, en buques Británicos, puede igualmente importarse en los mismos puertos, en buques Colombianos, sin que esté sujeto á otros, ó mas altos derechos ó impuestos, de cualquiera denominacion que sean, que á los que estaria sujeto si fuera importado en buques Británicos; y reciprocamente, todo artículo que sea, ó pueda ser legalmente importado en los puertos de los dominios y posesiones de los Estados Unidos de Colombia, en buques Colombianos, puede igualmente importarse en los mismos puertos, en buques Británicos, sin que esté sujeto á otros, ó mas

in Columbian vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin, or from any other place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions and possessions of either of the Contracting Parties, on the exportation of any article which is or may be legally exportable therefrom, whether such exportation shall take place in British or in Columbian vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.

VII. No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties, of whatever nature or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed, in the like cases, on

altos derechos ó impuestos, de cualquiera denominacion que sean, que á los que estaria sujeto si fuera importado en buques Colombianos. Esta igualdad recíproca de tratamiento tendrá efecto sin distincion alguna, ya en caso que tal artículo venga directamente del lugar de su oríjen, ya que venga de cualquiera otro lugar.

De la misma manera habrá perfecta igualdad de tratamiento con respecto á la exportacion, de suerte que se pagarán los mismos derechos de exportacion, y se concederán los mismos premios y descuentos, en los dominios y posesiones de cualquiera de las Partes Contratantes, sobre la exportacion de cualquier artículo que sea ó que pueda ser legalmente exportado de ellos, ya sea en buques Británicos, ya sea en buques Colombianos, y cualquiera que sea el lugar de su destino, bien sea un puerto de una de las Partes Contratantes, bien sea un puerto de una nacion tercera.

VII. No se impondrán sobre los buques de cualquiera de los dos paises, en los puertos de los dominios y posesiones del otro, derechos de tonelaje, puerto, pilotaje, fanal, cuarentena, ú otros semejantes, ó que equivalgan á estos, de cualquiera naturaleza que sean, ó bajo cualquiera denominacion, y que se establezcan á nombre ó en provecho del Gobierno, ó de funcionarios públicos, individuos privados, corporaciones ó establecimientos de cualquiera clase, que no se impongan igualmente, y bajo las mismas



national vessels in general. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

VIII. In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

IX. The stipulations of the preceding Articles shall not apply to the coasting trade, which remains subject to the particular legislation of each of the High Contracting Parties.

The vessels of each of the two Contracting Parties shall, however, be at liberty, if the captain, proprietor, or other person duly authorized to act as agent for the vessel or cargo, shall consider advisable, to proceed from one port of one of the two countries to one or more ports of the same country, in order to discharge the whole or part of their cargo brought from abroad, or in order to take in or complete their cargo without paying other duties than those which are, or may be,

condiciones, en casos semejantes, sobre los buques nacionales en general. Esta igualdad de tratamiento tendrá efecto reciprocamente con los buques respectivos, de cualquiera puerto ó lugar que lleguen, y cualquiera que pueda ser el lugar de su destino.

VIII. No se concederá privilegio alguno á los buques nacionales, con respecto á estaciones, carga y descarga, en los puertos, bahías, diques, radas, ensenadas ó rios, de los dominios y posesiones de los dos países, que no se conceda igualmente á los buques del otro; siendo la intencion de las Partes Contratantes que en este particular los buques respectivos sean tambien tratados bajo el pie de perfecta igualdad.

IX. Lo estipulado en los Artículos anteriores no es aplicable al comercio costanero, el cual queda sujeto á la legislación particular de cada una de las Altas Partes Contratantes.

Sin embargo, los buques de cada una de los dos Partes Contratantes tendrán libertad, si el comandante, el propietario, ú otra persona debidamente autorizada para obrar como agente para el buque ó el cargamento, la considerase conveniente, de proceder de un puerto de uno de los dos países, á uno, ó varios puertos del mismo país, con el objeto de descargar todo ó parte de su cargamento, que haya sido traído del extranjero, ó con el de tomar ó completar su carga, sin pagar otros derechos que los que paguen, ó



paid by national vessels in similar cases.

X. All vessels which according to British law are to be deemed British vessels, and all vessels which according to Columbian law are to be deemed Columbian vessels, shall, for the purposes of this Treaty, be deemed British and Columbian vessels respectively.

XI. Any import duty levied *ad valorem* in the territories of either of the two High Contracting Parties shall be calculated on the value at the place of production or fabrication of the object imported, with the addition of the cost of transport, insurance, and commission necessary for the importation into the country to which it is carried, its dominions and possessions, as far as the port of discharge.

For the levying of these duties, the importer shall make a written declaration at the Custom-House, stating the value and description of the goods imported, with the addition aforesaid. If the Custom-House authorities shall be of opinion that the declared value is insufficient, they shall be at liberty to take the goods on paying to the importer the price declared, with an addition of 5 per cent.

This payment, together with the restitution of any duty which may have been levied upon such goods, shall be made within the 15 days following the declaration.

puedan pagar, de ahora en adelante, los buques nacionales en casos semejantes.

X. Todos los buques que segun las leyes Británicas sean considerados como Británicos, y todos los buques que segun las leyes Colombianas sean considerados como Colombianos, se considerarán, para los objetos de este Tratado, como buques Británicos y Colombianos respectivamente.

XI. Cualquiera derecho de importacion impuesto *ad valorem*, en el territorio de cualquiera de las dos Altas Partes Contratantes, se calculará sobre el valor del objeto importado, en el lugar de la produccion ó fábrica, con el costo adicional de transporte, aseguro y comision que sea necesario para la importacion en el pais adonde se lleva, sus dominios y posesiones, y hasta el puerto donde se haga el descargo.

Para exigir estos derechos, el importador hará una declaracion escrita en la Aduana, en que conste el valor y la descripcion de los artículos importados, con la adiccion de que se habla arriba. Si las autoridades de la Aduana creyeren que el valor declarado es insuficiente, podrán tomar los artículos, pagando al importador el precio declarado, con una adiccion de un 5 por ciento.

Este pago, junto con cualquiera restitution de derechos que se hayan exigido sobre tales artículos, se hará dentro de 15 dias despues de la declaracion.

XII. The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as native subjects or citizens in regard to trade-marks and designs of every description applicable to articles of manufacture.

XIII. The Diplomatic Agents and Consuls of each of the two High Contracting Parties in the dominions or territories of the other shall enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Agents of the same rank, belonging to the most favoured nation.

It shall be free for each of the Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents, to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted, in the usual form, by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Consuls of the most favoured nation.

XIV. The subjects and citizens of each of the Contracting Parties, conforming themselves to the laws of the country,

XII. Los súbditos ó ciudadanos de una de las Partes Contratantes tendrán, en los dominios y posesiones de la otra, los mismos derechos, con respecto á marcas de comercio y diseños, de cualquiera descripción, que sean aplicables á artículos de manufactura, que los que tienen los súbditos ó ciudadanos nacionales.

XIII. Los Agentes Diplomáticos y Consulares de cada una de las Altas Partes Contratantes, en los dominios ó territorios de la otra, gozarán de cualesquiera privilegios, exenciones é inmunidades que se han concedido, ó que se concedieren allí, á Agentes del mismo rango, que pertenezcan á la nacion mas favorecida.

Cada una de las Partes Contratantes tiene libertad para nombrar Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Consulares, para que residan en las ciudades y puertos de los dominios y posesiones de la otra. Sin embargo, tales Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Consulares, no entrarán á ejercer sus funciones hasta que no hayan sido aprobados y admitidos, en la forma de costumbre, por el Gobierno al cual hayan sido enviados. Ellos ejercerán cualesquiera funciones, y gozarán de cualesquiera privilegios, exenciones é inmunidades que se han concedido, ó se concedieren allí, á los Cónsules de la nacion mas favorecida.

XIV. Los súbditos y ciudadanos de cada una de las Partes Contratantes, que se conformen con las leyes del pais, tendrán :

1. Shall have full liberty, with their families, to enter, travel, or reside in any part of the dominions and possessions of the other Contracting Party.

2. They shall be permitted to hire or possess the houses, manufactories, warehouses, shops, and premises which may be necessary for them.

3. They may carry on their commerce, by wholesale or by retail, and either in person or by any agents whom they may think fit to employ.

4. They shall not be subject, in respect of their persons or property, or in respect of passports, licenses for residence or establishment, nor in respect of their commerce or industry, to any taxes, whether general or local, nor to imposts or obligations of any kind whatever, other or greater than those which are or may be imposed upon native subjects or citizens.

XV. The subjects or citizens of the two High Contracting Parties residing in the territories of the other, shall enjoy the most perfect and entire liberty of conscience, without being molested or disturbed on account of their religious belief. Neither shall they be molested or disturbed in the proper exercise of their religion, in private houses, or in the churches, chapels, or places destined for worship, provided that in so doing they observe the decorum due to Divine worship, and the respect due to the laws of the country. Liberty shall also be granted to bury the subjects or citizens of the two High Con-

1. Entera libertad, ellos con sus familias, para entrar, viajar, ó residir en cualquiera parte de los dominios y posesiones de la otra Parte Contratante.

2. El derecho de adquirir casas, fábricas, almacenes, tiendas y predios, que les sean necesarios, ya sea en alquiler, ya sea en posesion.

3. La facultad de ejercer su comercio por mayor ó al detal, ellos mismos, ó por medio de agentes que puedan considerar aptos para ello.

4. Además, con respecto á sus personas ó propiedades, á pasaportes, permisos de residencia ó establecimiento, y á su comercio ó industria, no estarán sujetos á contribucion alguna, sea general ó local, ni tampoco á impuestos ú obligaciones de ninguna clase, que sean diferentes ó mayores que las que se han impuesto, ó se impusieren, á los súbditos ó ciudadanos nacionales.

XV. Los súbditos ó ciudadanos de las dos Altas Partes Contratantes, residentes en los territorios de la otra, gozarán de la mas completa, absoluta y entera libertad de conciencia, sin que sean molestados ni perturbados á causa de sus creencias religiosas. Tampoco serán molestados ni perturbados en el ejercicio lejítimo de su religion, en casas privadas, iglesias, capillas ó lugares destinados para el culto, con tal que al ejercerlo observen el decoro debido á la adoracion de la Divinidad, y el debido respeto á las leyes del pais. Tambien se concede libertad para enterar á los súbditos ó ciudadanos



tracting Parties who may die in the territories of the other, in convenient and adequate places, to be appointed and established by the said resident subjects or citizens for that purpose, with the knowledge of the local authorities, or in such other places of sepulture as may be chosen by the friends of the deceased; and the funerals or sepulchres of the dead shall not be disturbed in any wise or upon any account.

XVI. The subjects and citizens of each of the Contracting Parties in the dominions and possessions of the other shall be exempted from all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall be equally exempted from all judicial and municipal functions whatever, as well as from all contributions, whether pecuniary or in kind, imposed as a compensation for personal service; and, finally, from forced loans and military exactions or requisitions.

XVII. The subjects and citizens of each of the Contracting Parties in the dominions and possessions of the other, shall be at full liberty to acquire, possess, and dispose of every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to acquire and possess. They may acquire and dispose of the same, whether by purchase, sale, donation, exchange, marriage, testament,

de una de las dos Altas Partes Contratantes, que mueran en los territorios de la otra, en lugares convenientes y adecuados, que sean designados por los dichos súbditos ó ciudadanos residentes con este objeto, y con conocimiento de las autoridades locales, ó en cualquiera otro lugar de sepultura que los parientes del difunto puedan escojer; y los funerales ó sepulcros de los muertos no serán perturbados ni profanados de ninguna manera ni por ningún motivo.

XVI. Los súbditos y ciudadanos de cada una de las Partes Contratantes, en los dominios y posesiones de la otra, estarán exentos de todo servicio militar forzado, de cualquiera clase, ya sea en el ejército, ya sea en la marina, ó en la guardia nacional ó milicia. Igualmente estarán exentos de ejercer funcion judicial alguna ó cargo municipal, como tambien de toda contribucion pecuniaria ó en especie, impuesta como compensacion por servicios personales; y últimamente, de empréstitos forzosos y exacciones ó requisiciones militares.

XVII. Los súbditos y ciudadanos de cada una de las Partes Contratantes, en los dominios y posesiones de la otra, tendrán entera libertad para adquirir, poseer y disponer de toda clase de propiedad que las leyes del pais permitan adquirir y poseer á cualquiera extranjero, de cualquier nacion que sea. Pueden adquirir y disponer de la dicha propiedad por medio de compra, venta, donacion, cambio, matrimonio, testa-



succession *ab intestato*, or in any other manner, under the same conditions as are established by the laws of the country for all foreigners. Their heirs and representatives may succeed to and take possession of such property, either in person or by agents on their behalf, in the same manner and in the same legal forms as subjects or citizens of the country. In the absence of heirs and representatives the property shall be treated in the same manner as the like property belonging to a subject or citizen of the country under similar circumstances.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by subjects or citizens of the country. In every case the subjects or citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof, if sold, freely, and without being subjected on such exportation to pay any duty as foreigners, or any other or higher duties than those to which subjects or citizens of the country are liable under similar circumstances.

XVIII. The dwellings, manufactories, warehouses, and shops of the subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto, destined for purposes of residence or commerce, shall be re-

mento, sucesion *ab intestato*, ó de cualquiera otra manera, bajo las mismas condiciones establecidas por las leyes del país para todos los extranjeros. Sus herederos y representantes pueden sucederles, y tomar posesion de la tal propiedad por si mismos, ó por medio de agentes que obren á su nombre, de la misma manera, y por los mismos trámites, que lo hacen los súbditos ó ciudadanos del país. Por falta de herederos y representantes, la propiedad será tratada de la misma manera que una propiedad semejante perteneciente á un súbdito ó ciudadano del país, en iguales circunstancias.

En ninguno de estos casos pagarán, sobre el valor de la tal propiedad, otros ó mas altos impuestos, derechos ó cargas, que las que deben pagar los súbditos ó ciudadanos del país. En todo caso se les permitirá á los súbditos ó ciudadanos de las Partes Contratantes, el exportar su propiedad, ó el producto de ella si se ha vendido, libremente, y sin que estén sujetos á pagar por tal exportacion, derecho alguno como extranjeros, ni otros, ni mas altos derechos, que aquellos á que están sujetos los súbditos ó ciudadanos del país, en iguales circunstancias.

XVIII. Las habitaciones, fábricas, almacenes y tiendas de los súbditos ó ciudadanos de cada una de las Partes Contratantes, en los dominios y posesiones de la otra, y todos los predios pertenecientes á ellos, destinados para residencia ó para el comercio, serán respe-

spected. If there should be occasion to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, such measure shall be executed only in conformity with the legal warrant or order in writing of a tribunal, or of the competent authority.

The subjects or citizens of each of the two Contracting Parties in the dominions and possessions of the other, shall have free access to the Courts of Justice for the prosecution and defence of their rights. They shall enjoy in this respect the same rights and privileges as subjects or citizens of the country, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

XIX. For the better security of commerce between the subjects and citizens of the two High Contracting Parties, it is agreed that if at any time any rupture, or any interruption of friendly intercourse, should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of them, established in the territories of the other, who may reside upon the coasts, shall be allowed 6 months, and those who may reside in the interior a whole year, to wind up their accounts and to dispose of their property; and a safe-conduct shall be given to

tados. Si fuere necesario hacer un registro, ó una visita domiciliaria à las tales habitaciones ó predios, ó si se necesitare examinar ó inspeccionar libros, papeles ó cuentas, estas medidas se ejecutarán solamente de conformidad con un acto legal, ó una orden por escrito de un tribunal, ó de la autoridad competente.

Los súbditos ó ciudadanos de cada una de las dos Partes Contratantes, en los dominios y posesiones de la otra, tendrán libre acceso á las Cortes de Justicia para la vindicacion ó defensa de sus derechos. Gozarán, en este respecto, de los mismos derechos y privilegios de que gozan los súbditos ó ciudadanos del país, y como ellos, tendrán libertad para emplear en todas las causas, sus abogados, notarios ó agentes, de entre las personas admitidas para ejercer esas profesiones, segun las leyes del país.

XIX. Para la mayor seguridad del comercio entre los súbditos y ciudadanos de las dos Altas Partes Contratantes, se conviene en que si, desgraciadamente, en cualquiera tiempo ocurriere una ruptura, ó una interrupcion de las relaciones amistosas entre las dos Partes Contratantes, los súbditos ó ciudadanos de cualquiera de ellas, establecidos en los territorios de la otra, y que residan en las costas, se les concederán 6 meses, y para los que residan en el interior un año entero, para fenecer sus cuentas y disponer de su propiedad, y se les dará un salvo conducto

them to embark at the port which they themselves shall select. The subjects or citizens of either of the two Contracting Parties who may be established in the dominions or territories of the other, in the exercise of any trade or other occupation or employment, shall be allowed to remain and continue in the exercise of the said trade or occupation, notwithstanding the interruption of friendship between the two countries, in the free enjoyment of their personal liberty and property, so long as they behave peaceably and observe the laws; and their goods and effects, of whatever description they may be, whether in their own custody or entrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to native subjects or citizens. In the same case, or in case of domestic troubles, debts between individuals, public funds, and the shares of Companies, shall never be confiscated, sequestered, or detained.

XX. Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather, or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the

para embarcarse en el puerto que ellos mismos escojan. A los súbditos ó ciudadanos de cualquiera de las dos Partes Contratantes que estén establecidos en los dominios ó territorios de la otra, ejerciendo un comercio cualquiera, ú otra ocupacion ó empleo, se les permitirá permanecer, y continuar en el ejercicio del dicho comercio ú ocupacion, á pesar de la interrupcion de la amistad entre los dos paises, y gozarán de su libertad y propiedad personales durante todo el tiempo que se conduzcan pacíficamente, y observen las leyes; y sus mercancías y efectos, de cualquiera descripcion que sean, ya estén á su propio cuidado, ó confiados á otros individuos ó al Estado, no estarán sujetos á embargo ó secuestro, ni á otras cargas ó reclamos, que los que se puedan hacer sobre efectos ó propiedades semejantes pertenecientes á súbditos ó ciudadanos nacionales. En el mismo caso, ó en el caso de desórdenes domésticos, las deudas entre individuos, los fondos públicos, ó las acciones de compañías, no serán jamas confiscadas, secuestradas, ó detenidas.

XX. Todo buque de guerra ó mercante de cualquiera de las Partes Contratantes que sea obligado por temporal, ó por cualquiera accidente, á refugiarse en un puerto de la otra, tendrá libertad para embonar allí, procurarse los abastos necesarios, y zarpar otra vez, sin pagar otros derechos que los que serian pagaderos, en casos semejantes, por un buque nacional. Sin embargo, en caso



master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereto, and all goods and merchandize saved therefrom, including any which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Columbian Consul - General, Consul, or Vice-Consul, in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents, shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs, unless cleared for con-

que el comandante de un buque mercante, se vea en la necesidad de disponer de parte de sus mercancías para cubrir sus gastos, tendrá que conformarse con las reglas y tarifas del lugar á donde haya llegado.

Si un buque de guerra ó mercante de una de las Partes Contratantes encallare, ó hiciere naufragio en las costas de la otra, dicho navio ó buque, todas sus partes, sus aparejos y accesorios, y todos los jéneros y mercancías que de él se hayan salvado, inclusive las que se hayan arrojado al mar, ó el producto de ellas si hubiesen sido vendidas, lo mismo que todos los papeles que se encuentren á bordo de dicho buque encallado ó náufrago, se entregarán á sus propietarios ó á sus agentes cuando ellos los reclamen. Si no hubiere dichos propietarios ó agentes en el lugar, entónces los dichos efectos y papeles serán entregados al Cónsul-General, Cónsul, ó Vice-Cónsul Británico ó Colombiano, en cuyo distrito haya tenido lugar la encallada ó naufragio, debiendo este hacer el reclamo dentro del periodo fijado por las leyes del país; y dichos Cónsules, propietarios ó agentes, pagarán solamente los gastos hechos para salvar la propiedad, junto con la cuota de salvamento ú otros gastos que hubieran sido pagaderos en un caso semejante de naufragio de un buque nacional.

Los jéneros y mercancías salvadas del naufragio serán exentas de todo derecho de Aduana, á no ser que se intro-



sumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present, and requires it, be authorized to interpose, in order to afford the necessary assistance to their fellow-countrymen.

XXI. The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

XXII. The present Treaty of Commerce and Navigation, when ratified, shall, so far as regards the United States of Columbia, be substituted for the Treaty between His Britannic Majesty and the State of Columbia, signed at Bogotá, on the 18th of April, 1825,\* and shall remain in force for 10 years from the date of the exchange of the ratifications, and further until the expiration of 12 months after either of the Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the Contracting Parties being at liberty to give such notice to the other at the

duzcan para el consumo, en cuyo caso pagarán el mismo derecho que si hubieran sido importadas en un buque nacional.

En el caso que un buque sea arrojado por un temporal, que encalle, ó que haga naufragio, los respectivos Cónsules-Generales, Cónsules, Vice-Cónsules, y Agentes Consulares, si el propietario, el comandante, ó el agente del propietario no estan presentes, ó si estan presentes y ellos lo solicitan, estarán autorizados para intervenir con el objeto de proporcionar el auxilio necesario á sus compatriotas.

XXI. Los Cónsules-Generales, Cónsules, Vice-Cónsules y Agentes Consulares de cada una de las Partes Contratantes, residentes en los dominios y posesiones de la otra, recibirán de las autoridades locales el auxilio que segun las leyes pueda darse para la recuperacion de desertores de los buques de sus respectivos paises.

XXII. El presente Tratado de Comercio y Navegacion, cuando esté ratificado, sustituirá, en lo que respecta á los Estados Unidos de Colombia, al Tratado entre Su Majestad Británica y la República de Colombia, firmado en Bogotá, en 18 de Abril, de 1825,\* y permanecerá en fuerza por 10 años desde la fecha del canje de las ratificaciones, y ademas hasta la expiracion de 12 meses despues de que una de las Partes Contratantes haya notificado á la otra su intencion de terminarlo; teniendo cada una de las Partes Contratantes libertad de hacer á la otra dicha notificacion á la expiracion de los

\* See Vol. 3. Page 56.

expiration of the first 9 years, or at any time afterwards.

XXIII. The present Treaty shall be ratified, and the ratifications shall be exchanged at London in 12 months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at London, the 16th day of February, in the year of our Lord, 1866.

(L.S.) CLARENDON.

(L.S.) THOS. MILNER GIBSON.

(L.S.) T. C. DE MOSQUERA.

primeros 9 años, ó en cualquiera época posterior.

XXIII. El presente Tratado será ratificado, y las ratificaciones canjeadas en Lóndres dentro de 12 meses, ó ántes si fuere posible.

En fé de lo cual los Plenipotenciarios respectivos han firmado el presente Tratado, y lo han sellado con sus sellos respectivos.

Hecho en Lóndres, á 16 de Febrero, el año del Señor, 1866.

(L.S.) CLARENDON.

(L.S.) THOS. MILNER GIBSON.

(L.S.) T. C. DE MOSQUERA.

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## DENMARK.

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CONCESSION of the King of Denmark to the English Submarine Telegraph Company. Copenhagen, July 17, 1857.  
(Translation.)

WE, Frederick VII, by the grace of God King of Denmark, of the Vandals and the Goths, Duke of Schleswig Holstein, Stormarch, Ditmarch, Lauenburg and Oldenburg,

Do hereby make known, that on the petition and request of Sir James Carmichael, Bart., Anders Westenholz, John Watkins Brett, and Richard Atwood Glass, we have been graciously pleased to grant them, by these presents, the following concession:

ART. I. The permission referred to above is hereby granted them to establish, at their own cost and risk, an electric telegraph communication between London and some point on the western coast of Denmark, to the northward of Tönning, to be determined on after further negotiations with the Danish Government.

The submarine cable, by means of which the telegraphic communication is to be effected, shall consist of at least 3 telegraph wires, which shall be exclusively devoted to the telegraph correspondence between England and Denmark, even if for some reason or other it should be found necessary to make the cable touch at the island of Heligoland.

Should the cable contain 4 conducting wires, it shall be allowable to make use of the 4th one for forwarding the des-

patches of the British Government between England and Heligoland. When, however, this 4th wire shall not be so employed, it shall, the same as the other 3 wires, be used exclusively for the correspondence between England and Denmark.

Should the submarine cable between England and Heligoland contain 5 or 6 conducting wires, the concessionaires shall be allowed to bring one or two of these wires respectively from Heligoland to a point of the Continent, and thereby establish a special telegraphic communication.

If the cable contain more than 6 conducting wires, at least half the surplus number shall be extended to Denmark, and shall be exclusively devoted to the correspondence between England and Denmark, should such be the wish of the Danish Government. This stipulation applies also to any other cable or cables which the concessionaires may at the same or any later period lay down between England and Heligoland with an extension to the Continent.

The number of overground wires in England must be at least equal to that of the conducting wires contained in the submarine cable.

The works to be undertaken on the Danish coast in connection with the landing of the cable must be notified to the Danish local authorities concerned, and are to be carried out under the superintendence of the said authorities.

On the completion of these works, the concessionaires shall send in to the Danish Government a full description of them. The Danish Government shall be authorized to be present, in the persons of its specially appointed agents, at the experiments made on the line before it is opened to the public, and also, subsequently, the said agents shall be allowed to make themselves acquainted with the management and working of the service at any of the stations belonging to the establishment.

II. The concessionaires engage to complete the laying down of the line as soon as possible, and at the latest within one year from the date of the present concession, unless they prove satisfactorily to the Danish Government that they were prevented from so doing by circumstances over which they had no control, in which case a further term of 6 months will be accorded them for completing the undertaking, to which may be added an extension of 6 months, should such be required in consequence of any accident occurring in the manufacture or laying down of the submarine cable.

III. The concessionaires agree to maintain the undertaking in question at their own cost. Any damage to the overground conducting wires must be remedied immediately, and fractures of the submarine cable must be repaired as soon as possible, at the latest within the space of 6 months.

IV. The concessionaires are empowered by means of the



undertaking in question to establish a telegraphic correspondence between England, on the one part, and Denmark, together with the States placed in telegraphic connection with her, on the other part, in the mode and on the conditions to be hereafter specified; the Danish Government, however, reserves to itself the right, whenever important reasons of State policy should render it necessary, of provisionally restricting such correspondence to the forwarding of despatches of a commercial character, or of breaking it off altogether, without on that account incurring any obligation to indemnify the concessionaires for the loss resulting to them from this cause.

V. In order to effect the above-mentioned telegraphic communication with the Continent, the Danish Government pledges itself, as soon as the necessary means have been voted by law, to place, by means of an overground line, the submarine cable in connexion with a Royal Danish telegraph station, to be erected on a suitable site, and further engages to set up the necessary number of conducting wires to all the Danish telegraph stations, so that no delay may occur in transmitting the correspondence in question between the landing point on the Danish coast and Hamburg for want of conducting wires ready for use.

The entire undertaking on the Danish territory, from the point of junction of the underground with the submarine line, is to be carried out and maintained at the cost of the Danish Government, which also undertakes to defray all expenses connected with the management of the new Danish station to be erected.

VI. Should the number of wires which serve for the aforesaid direct correspondence between England and Denmark prove to be insufficient, the concessionaires shall be bound successively to augment the number of them.

VII. With regard to the mutual transmission of messages, the following regulations shall be adhered to:

(a.) The telegraph service in Denmark is to be conducted exclusively by the functionaries of the Danish Government, and at its cost, so that the concessionaires will not have to bear any of the expenses arising therefrom. The service in England is to be conducted by the concessionaires, and at their cost, exclusively.

(b.) In so far as the mutual transmission of despatches requires the employment of the same technical means, as well as the same rules for telegraphic working, the concessionaires pledge themselves to abide by the custom of the Danish Telegraph Administration.

(c.) While telegraphic communication remains uninterrupted by any accident to the line, the concessionaires engage to keep the establishment in constant activity. They are, moreover, bound to use their utmost endeavours to further the transmission from London of the telegraphic messages from foreign



parts to the various British and Irish stations for which they may be destined.

(d.) The Danish Government takes on itself the like obligation to aid in every possible way the forwarding of despatches beyond the frontiers of the realm; and with regard to this further transmission, the Danish Government undertakes to do its best to procure the concessionaires the same advantages as it has either already acquired, or may in future acquire, by treaties with foreign powers.

(e.) The order in which messages are to be transmitted is as follows:

1. Danish and British Government despatches.
2. The Government messages of such foreign States as the Danish Administration may have entered into agreements with for preferential forwarding.
3. Private despatches.

(f.) Under no circumstances shall higher rates be charged for the transmission of telegrams over Danish territory than for the home correspondence.

It is to be considered as a general rule in making out the entire tariff, that so long as the charges for forwarding messages from Hamburg to the landing point on the Danish coast are not higher than the rates for the transmission of despatches between the first-named place and any other point of the Continent, from which there is at present, or may hereafter be, established a telegraphic connexion with England, the concessionaires shall be bound so to fix their tariff that the cost for forwarding telegrams from Hamburg to any station in Great Britain and Ireland shall not at any time exceed that for which they can be sent by any other route.

The tariff, after having been once fixed, shall not be raised by the concessionaires without the sanction of the Danish Government.

In the event of the Danish Government deciding to reduce the tariff for telegraphic communication between the landing point on the Danish coast and any other station in connexion with it within the frontiers of the realm (including the Danish station at Hamburg), as follows:

64 Sk.	Danish currency	. . .	for 1 to 25 words.
1 Rd. 32 sk.	"	. . .	for 26 to 50 "
2 Rd.	"	. . .	for 51 to 100 "

The Danish Government shall be entitled to demand that the charges between the landing point on the Danish coast and London shall not exceed:

s.	d.				
6	6	English currency	. . .	for 1 to 25 words.	
13	0	"	. . .	for 26 to 50 "	
19	6	"	. . .	for 51 to 100 "	

And that between the Danish landing point and any station whatever in Great Britain and Ireland that the rates do not exceed:

£	s.	d.			
0	8	6	English currency	. .	for 1 to 25 words.
0	17	0	"	. .	for 26 to 50 "
1	5	6	"	. .	for 51 to 100 "

(g.) The amounts produced by the transmission of messages between London and the Danish landing point belong exclusively to the concessionaires, and the amounts produced by the transmission of despatches over the Danish lines belong in like manner exclusively to the Danish Government. The total charge for the entire distance the telegrams are to be transmitted is to be received at the stations whence they are originally sent.

The relative value of the money of the two nations is to be at the rate of one pound English money, being equal to 9 rix-dollars Danish. The balance of the respective accounts is to be paid, as the case may be, to the Danish Government in Danish currency, or to the concessionaires in English currency.

VIII. In order to indemnify the concessionaires for their outlay in the herein-mentioned works, permission is hereby given them to lay down and work an electric telegraph between England and Denmark, for a period of 25 years from the date of the present concession, to the exclusion of any other undertaking of the like kind, whether such might have for its object to establish a direct submarine telegraph communication between England and Denmark (the Faroe Islands and Iceland not included), or by submarine branch lines to extend to Denmark any other existing submarine telegraphs between England and the Continent.

On the expiration of the above-mentioned period, the Danish Government reserves to itself the right to grant a new concession to whomsoever it may please, and on such conditions as it may then determine, giving, however, the preference to the present concessionaires, provided they agree to the stipulations of the Danish Government.

IX. As a guarantee of the undertaking being carried out with the necessary energy and despatch, the concessionaires engage to deposit with the Danish Government, within 14 days at the latest from the date of this concession, the sum of 2,500*l.*, either in cash or in such funds as shall be deemed satisfactory by the said Government.

This deposit, the interest of which, if it consist of funds bearing interest, shall belong to the concessionaires, is to be repaid within three months after the completion of the telegraph, and its being open for use, in accordance with the terms set forth in Article II. Should the undertaking not be finished

within the time specified, the deposit shall be forfeited to the Danish Government.

In this case, and in the event of the concessionaires neglecting to fulfil any other of the obligations to which they have bound themselves by the present concession, the Danish Government shall have the right to cancel it, without by so doing giving rise to any claim for indemnity being made on the part of the concessionaires.

Should the concessionaires, contrary to provisions of Article I, make use of one or more of the wires which are reserved for the transmission of despatches between England and Denmark for other correspondence, they shall incur a fine of 10,000*l.*, in addition to forfeiting the concession.

In cases of less serious violations of the rules, however, the Danish Government, instead of withdrawing the concession, will confine itself to imposing a fine upon the concessionaires, should they prefer it to the forfeiture of the concession.

X. In transactions of great importance, the concessionaires shall engage to have themselves represented by a fully empowered and accredited agent in this country, if so required by the Danish Government.

XI. The concessionaires shall be at liberty to transfer the concession, with the same rights granted to, and obligations binding on, themselves, either to an individual or a company. Any such transfer, however, shall be subject to the approval of the Danish Government, so that the same may take the steps necessary to secure the fulfilment of the further obligations which the concessionaires may have taken upon themselves after the granting of the concession; and the party or parties directing the works, shall, both during the preliminary operations, as well as after their completion, be bound to give the Danish Government, within a reasonable time, any information it may desire.

XII. In case of any question arising as to the right interpretation and meaning of the words of this concession, on the desire of the concessionaires the matter shall be laid before us by the proper Minister, to be decided in Privy Council.

Forbidding all and every one to show let or hindrance against this, as here above decreed.

Given in our Palace The Hermitage, this 17th day of July, 1857, under our royal hand and seal.

FREDERICK R.

UNSGAARD, *Minister.*

BRITISH ORDER IN COUNCIL, *declaring the Regulations appended to the Order in Council of January 9, 1863,\* respecting Collisions at Sea, to be applicable to Denmark Proper, and to the Duchy of Schleswig. Osborne, February 3, 1864.*

*At the Court at Osborne House, Isle of Wight, the 3rd day of February, 1864.*

PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS the rules and practice observed for the purpose of preventing collisions at sea, which were formerly adopted by maritime nations, have proved insufficient to satisfy the requirements of modern navigation; and whereas various alterations in such rules and practice have from time to time been made by different nations, but the rules so altered have been found to be in some cases inconsistent with each other, and in other cases to have the force of municipal law only; and whereas certain regulations for the purpose aforesaid have been sanctioned by "The Merchant Shipping Act Amendment Act, 1862,"† and are contained in the Table C, in the schedule to that Act; and whereas for the purpose of correcting certain clerical errors the said regulations have, in pursuance of the provisions in the said Act contained, been modified by an Order in Council bearing date the 9th day of January, 1863, and the said regulations, so modified, are appended to the said Order, and to this Order; and whereas by virtue of the said Act and of the said Order the said regulations so appended as aforesaid, so far as relates to British and French ships and also so far as relates to certain other foreign ships when within British jurisdiction, came into operation on the 1st day of June, 1863; and whereas it is provided by the same Act, that, whenever it is made to appear to Her Majesty that the Government of any foreign country is willing that the regulations for preventing collisions contained in Table C in the schedule to the said Act, or such other regulations for preventing collisions as are for the time being in force under the said Act, should apply to the ships of such country when beyond the limits of British jurisdiction, Her Majesty may by Order in Council direct that such regulations shall apply to the ships of the said foreign country, whether within British jurisdiction or not. And it is further provided by the said Act that whenever an Order in Council has been issued applying any regulation made by or in pursuance of the said Act to the ships of any foreign country, such ships shall, in all cases arising in any British Court, be deemed to be subject to such regulation, and shall for the purpose of such regulation be treated as if they were British ships: And whereas it has been made to appear to Her Majesty, that the Government of

\* See Vol. 11. Page 219.

† See Vol. 11. Page 328.



His Majesty the King of Denmark is willing that the said regulations appended to the said Order and to this Order, should apply to ships belonging to Denmark Proper, and to ships belonging to the Duchy of Schleswig, when beyond the limits of British jurisdiction :

Now, therefore, Her Majesty, by virtue of the power vested in her by the said recited Act, and by and with the advice of her Privy Council, is pleased to direct,

That the said regulations appended to the said Order in Council, bearing date the 9th day of January, 1863, and to this Order, shall from the date of this Order apply to ships belonging to Denmark Proper, and the Duchy of Schleswig, whether within British jurisdiction or not.

EDMUND HARRISON.

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*Regulations referred to in the foregoing Order.*

*Regulations for preventing Collisions at Sea.*

[See Vol. XI. Page 221.]

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BRITISH TREASURY WARRANT, *regulating the Postage on Letters transmitted to or from the Danish Colonies in the West Indies. November 28, 1864.*

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her present Majesty (Chapter 96),\* intituled "An Act for the regulation of the Duties of Postage," power is given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage, payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid.

And whereas by another Act of Parliament, passed in the 11th year of the reign of Her present Majesty (Chapter 85),† intituled "An Act for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office," further powers are given to the Commissioners of Her Majesty's Trea-

\* See Vol. 5. Page 248. † See Vol. 8. Page 247.

sure, and power is also given to the Postmaster-General (amongst other things) to collect and receive the *Foreign* and *Colonial* postage, charged or chargeable on any letters sent by the post, and also with the consent of the Commissioners of Her Majesty's Treasury to require the postage, British, *Colonial*, or *Foreign*, of any letters sent by the post to be pre-paid, either in money or in stamps, as he might think fit, on the same being put into the Post Office.

And whereas the Commissioners of Her Majesty's Treasury by a certain Warrant, under their hands, bearing date the 17th day of March, 1863,\* fixed, made, and established certain rates of British postage, payable on the transmission by the post of (amongst others) letters between the United Kingdom and *St. Thomas* and *St. Croix*.

And whereas it is expedient to make regulations for the pre-payment of the rates of postage payable on the letters hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts, or either of them, and of all other powers enabling us in this behalf, do by this present Warrant, under the hands of two of us the said Commissioners (by the authority of the statute in that case made and provided) order and direct as follows, that is to say:

1. On every letter posted in the United Kingdom, addressed to the *Danish Colonies* in the *West Indies*, or posted in the *Danish Colonies* in the *West Indies* addressed to the United Kingdom, and conveyed by British packet boat, the postage thereof shall be paid at the time of the same being posted.

2. If any letter shall be posted in the United Kingdom, addressed to the *Danish Colonies* in the *West Indies*, or shall be posted in the *Danish Colonies* in the *West Indies* addressed to the United Kingdom for conveyance by British packet boat without the postage payable thereon being paid at the time of the same being posted, every such letter shall be charged with the postage to which it would have been liable if the postage had been fully paid thereon when posted, together with the further and additional rate of postage of 1s.

3. If any letter shall be posted in the United Kingdom addressed to the *Danish Colonies* in the *West Indies*, or shall be posted in the *Danish Colonies* in the *West Indies* addressed to the United Kingdom, for conveyance by British packet boat, and the postage paid thereon shall be less in amount than the rate of postage to which such letter would be liable, under or by virtue of the regulations in force relating thereto, every such letter shall be charged with the amount of the difference between the postage paid thereon, and the postage to which it

\* See Vol. 11. Page 1007.

would have been liable if the full amount of postage had been paid when posted, together with the further and additional rate of postage of 1s.

4. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her present Majesty.

5. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the orders, directions, or regulations hereby made, and may make and establish any new or other orders, directions, or regulations in lieu thereof.

6. This Warrant shall come into operation on the 1st day of January, 1865.

Whitehall, Treasury Chambers, the 28th day of November, 1864.

E. H. KNATCHBULL-HUGESSEN.  
WM. DUNBAR.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize of no intrinsic value, transmitted to or from the Danish Colonies in the West Indies.*  
March 23, 1865.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, parliamentary proceedings, and printed papers, transmitted and forwarded by the post; and various regulations were made for facilitating the transmission of such letters and papers by the post; and by the same Act, powers were given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient to authorize the transmission by the post between the United Kingdom and the Island of

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

*St. Thomas*, and the other *Danish Colonies* in the *West Indies*, of certain packets, and for that purpose to make certain regulations in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said herebefore recited Acts of Parliament, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners (by the authority of the statute in that case made and provided), order and direct as follows, that is to say :

1. All packets consisting of patterns or samples of merchandize, of no intrinsic value, posted in any part of the United Kingdom, addressed to any port in the Island of *St. Thomas*, or the other *Danish Colonies* in the *West Indies*, or posted in any port in the Island of *St. Thomas*, or the other *Danish Colonies* in the *West Indies*, addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and the Island of *St. Thomas*, and the other *Danish Colonies* in the *West Indies*, subject to the several rates of postage, and to the several orders, directions, regulations, and restrictions hereinafter mentioned and contained, that is to say :

On every such packet, if not exceeding four ounces in weight, there shall be charged, taken, and paid an uniform single rate of postage of 3*d.* ;

And on every such packet, if exceeding four ounces and not exceeding one half of a pound in weight, there shall be charged, taken, and paid 2 rates of postage ;

And on every such packet, if exceeding one half of a pound and not exceeding one pound in weight, there shall be charged, taken, and paid 4 rates of postage ;

And on every such packet, if exceeding one pound, and not exceeding one pound and one half of another pound in weight, there shall be charged, taken, and paid 6 rates of postage ;

And on every such packet, if exceeding one pound and one half of another pound, and not exceeding two pounds in weight, there shall be charged, taken, and paid 8 rates of postage ;

And for every additional half of a pound in weight of any such packet above the weight of two pounds, there shall be charged, taken, and paid 2 additional rates of postage, and every fractional part of such additional half of a pound in weight shall be charged as an additional half of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

2. No such packet, which in length, or breadth, or depth,



shall exceed the dimensions of two feet, shall be transmitted by the post under the provisions of this Warrant.

3. No pattern or sample being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

4. There shall be no inclosure sealed or otherwise closed against inspection, nor any other inclosure not authorized by this Warrant, sent in or with any such packet.

5. There shall be no writing or printing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices.

6. All such packets shall be sent in covers open at the ends, so as to be easy of examination; nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers may be inclosed in bags of linen or of other material; but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

7. If any packet sent or tendered, or delivered in order to be sent by the post, under the provisions of this Warrant, shall in length, or breadth, or depth, exceed the dimensions of two feet, or shall consist wholly of patterns or samples of any intrinsic value, as in the third clause of that Warrant mentioned, or if there shall be any writing or printing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices, or if any such packets shall not be sent in covers open at the ends so as to be easy of examination (except samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, and which may be inclosed in bags of linen, or of other material), or in case of bags being used, if such bags shall be so closed that they cannot be readily opened, every such packet shall be treated in all respects as a letter, except that it shall be chargeable with such rate or amount of postage as the Postmaster-General shall think proper, not exceeding the rate or amount of postage to which it would be liable as a letter if the postage had been paid when posted.

8. If any packet sent, or tendered, or delivered, in order to be sent by the post under the provisions of this Warrant, shall contain any inclosure, sealed or otherwise closed against inspection, or any other inclosure not authorized by this Warrant, every such inclosure may be taken out by any officer of the Post Office, and either returned or given up to the sender thereof, or be forwarded to the address on the packet, charged

not only with the full rates of postage as an unpaid letter, but also with a further and additional rate of 3*d.*, and the remainder of the packet, if duly prepaid by stamps, may be forwarded to the place of its address without any extra charge.

9. The postage of all such packets, as aforesaid, posted in the United Kingdom, shall in every case be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the value or amount of the postage duty payable thereon, under and by virtue of this Warrant.

10. The postage of all such packets as aforesaid, posted in the Island of *St. Thomas*, and the other *Danish Colonies* in the *West Indies*, shall in every case be paid at the time of the same being posted, either in money or by the proper postage stamp or stamps being affixed thereto.

11. If any packet sent, or tendered, or delivered, in order to be sent by the post, under the provisions of this Warrant, shall be posted in the United Kingdom, without having thereon or affixed thereto any stamp or stamps, or having thereon or affixed thereto a stamp or stamps, the value of which shall be less in amount than the rate of postage to which such packet would be liable under and by virtue of this Warrant, every such last-mentioned packet shall and may be detained and opened at any place in the United Kingdom, and at the option of the Postmaster-General shall be dealt with and chargeable in like manner as is hereinbefore directed with respect to any packet, which in length, breadth, or depth, shall exceed the dimensions of two feet.

12. If any packet sent, or tendered, or delivered, in order to be sent by the post, under the provisions of this Warrant, shall be posted in the Island of *St. Thomas*, or in any other of the *Danish Colonies* in the *West Indies*, without any postage being paid thereon, or the postage paid thereon at the time of the same being posted being less in amount than the rate of postage to which such packet would be liable under and by virtue of this Warrant, every such last-mentioned packet shall be detained and opened, and, at the option of the Postmaster-General, shall and may be either returned or given up to the sender thereof, or be given up to the person to whom it shall be addressed, or be forwarded to the place of its destination. And every such last-mentioned packet, on being so returned, given up, or forwarded, shall be chargeable with the like amount of postage to which it would have been liable as a letter if the postage had been paid when posted, and such

postage may be either paid by the sender or may be charged to the person to whom such packet shall be forwarded.

13. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

14. In all cases in which any question shall hereafter arise whether any packet or any pattern or sample contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

15. The term "by the post," used in this Warrant, shall include the conveyance direct by any British packet boat; and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty, chapter 96.

16. The Commissioners for the time being of Her Majesty's Treasury, may by Warrant under their hands, duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

17. This Warrant shall come into operation on the 1st day of April, 1865.

Whitehall, Treasury Chambers, the 23rd day of March, 1865.

WM. DUNBAR.

E. H. KNATCHBULL-HUGESSEN.

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Newspapers transmitted to the United Kingdom from the Danish Colonies in the West Indies; or from Mexico, Curaçoa, Costa Rica, Porto Rico, Martinique, or Guadaloupe. August 28, 1865.*

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WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the

\* See Vol. 5. Page 248.



duties of postage, power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof and a scale of weight to be contained in such Warrant.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament passed in the 11th year of the reign of Her Majesty, chapter 85,\* for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act of Parliament passed in the 18th year of the reign of Her Majesty, chapter 27,† for amending the laws relating to the stamp duties on newspapers, and for providing for the transmission by post of printed periodical publications.

And whereas it is expedient that the rates of postage now payable on certain newspapers should be altered in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers vested in us in and by the said recited Acts, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order, direct, and declare as follows:

1. On every packet consisting of a printed British, *Colonial*, or *Foreign* newspaper, not exceeding 4 ounces in weight, posted in either of the *Danish Colonies* in the *West Indies*, or in *Mexico*, *Curaçoa*, *Costa Rica*, *Porto Rico*, *Martinique*, or *Guadaloupe*, addressed to the United Kingdom, and transmitted by the post from such respective places to the United Kingdom, either direct or *viâ St. Thomas*, by British packet boat, there shall be charged, taken, and paid, in lieu of any rates of British postage now chargeable thereon, a rate of British postage of 1*d.*; and if exceeding the weight of 4 ounces, but not exceeding the weight of 8 ounces, a rate of British postage of 2*d.*; and for every additional 4 ounces in weight of any such newspaper above the weight of 8 ounces, an additional rate of 1*d.* shall be charged; and any fractional part of such additional 4 ounces shall be charged as an additional 4 ounces in weight.

2. Every packet which shall be transmitted by the post under the provisions of this Warrant shall be so transmitted in

\* See Vol. 1. Page 247.

† See Vol. 10. Page 320.



conformity with and under and subject to the several regulations, orders, directions, and conditions hereinafter contained, that is to say :

There shall be no word or communication printed on any newspaper after the publication thereof, or upon any cover thereof, nor any writing or marks upon any such newspaper, or upon any cover thereof other than and except the name and address of the person to whom the same is sent, but the name or title of such newspaper, and the name and address of the publisher, newsvendor, or agent, by whom the same is sent may be printed on the cover thereof.

There shall be no paper or thing inclosed in or with any such newspaper.

No packet which in length shall exceed 2 feet, or in width or depth 1 foot, shall be forwarded by the post under the provisions of this Warrant.

Every packet shall be sent open at the ends or sides, and either without a cover or in a cover or envelope open at the ends or sides.

3. If any packet sent, or tendered or delivered in order to be sent, by the post under this Warrant shall in length exceed 2 feet, or in width or depth 1 foot, or if any such packet, or the cover or envelope thereof, shall not be open at the ends or sides, or if any such packet shall be sent otherwise than in conformity with the terms, conditions, and regulations hereinbefore in Clause 2 of this Warrant contained, every such respective packet shall be chargeable and shall be treated in all respects as a letter.

4. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty.

5. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed or altered, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which may be payable are to be paid.

6. This Warrant shall come into operation on the 2nd day of October, 1865.

Whitehall, Treasury Chambers, the 28th day of August, 1865.

E. H. KNATCHBULL-HUGESSEN.  
LUKE WHITE.

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CONVENTION *between the General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of Denmark. Signed in the English and Danish Languages, at Copenhagen the 5th, and at London the 29th September, 1865.*

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THE General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of the Kingdom of Denmark being desirous of regulating, by means of a new Convention, the communications by Post between the United Kingdom and Denmark,

The Undersigned, duly authorized for that purpose by their respective Governments, have agreed upon the following Articles :

ART. I. There shall be periodical and regular exchange of correspondence between the United Kingdom of Great Britain and Ireland and the Kingdom of Denmark, as well for letters, book packets, and patterns of merchandize originating in the United Kingdom or Denmark, as for articles of the same nature originating in or destined for the countries the correspondence of which is forwarded through the United Kingdom or through Denmark.

Mails shall be exchanged, *viâ* Belgium and Germany, between the General Post Office in London and the Danish Chief Post Office in Hamburg.

II. It is agreed that the British Post Office shall make use of the right which it possesses, under the Postal Conventions between the United Kingdom and Belgium, to exchange closed mails with the Danish Post Office through the Belgian Territory, and that the Danish Post Office shall make use of the right which it possesses under the Postal Convention between Denmark and Prussia, to exchange closed mails with the British Post Office through the German Postal Union.

The British Post Office shall pay to the Post Office of Belgium the transit postage due to that office for the transit of letters, book packets, and patterns of merchandize contained in the closed mails in both directions exchanged between the United Kingdom and Denmark, and the Danish Post Office shall repay to the British Post Office the amount so paid on account of the transit of letters, book packets and patterns of merchandize sent in the closed mails from Denmark to the United Kingdom, and, *mutatis mutandis*, the Danish Post Office shall pay to the Prussian Post Office the transit postage due to the Prussian Post Office for the transit of letters, book packets, and patterns of merchandize contained in the closed mails in both directions exchanged between the United Kingdom and Denmark, and the British Post Office shall repay to the Danish Office the amount so paid on account of the transit of letters,

book packets, and patterns of merchandize sent in the closed mails from the United Kingdom to Denmark.

III. The total amount of postage to be collected in Denmark upon paid letters originating in Denmark addressed to the United Kingdom shall be fixed by the Danish Post Office, but shall not exceed 14 skilling rigsmünt for every single letter, and the total amount of postage to be collected in the United Kingdom upon paid letters originating in the United Kingdom addressed to Denmark shall be fixed by the British Post Office, but shall not exceed 4*d.* for every single letter.

The dispatching Office shall also have power to determine whether letters originating in Denmark and addressed to the United Kingdom, or originating in the United Kingdom and addressed to Denmark, the postage of which is wholly or in part unpaid, shall be sent forward, and, if so, whether any and what additional charge shall be made upon them; but, in the exercise of this power, the dispatching Office shall give notice of not less than one calendar month to the other Office of any alteration which it may determine to make.

IV. With respect to letters above the weight of a single letter, which is fixed at 15 French grammes, equal to 3 Danish qwints in Denmark, and at  $\frac{1}{2}$  an ounce in the United Kingdom, the Danish Post Office shall apply the following scale of progression for all letters the postage of which is collected in Denmark, videlicet:—

For every letter exceeding 15 grammes up to 30 grammes inclusive, 2 rates of postage;

For every letter exceeding 30 grammes up to 45 grammes inclusive, 3 rates of postage.

And so on, one additional rate of postage being charged for every additional 15 grammes or fraction of 15 grammes.

And the British Office shall apply the following scale of progression for all letters the postage of which is collected in the United Kingdom, videlicet:—

For every letter exceeding  $\frac{1}{2}$  an ounce up to 1 ounce inclusive, 2 rates of postage;

For every letter exceeding 1 ounce up to  $1\frac{1}{2}$  ounce inclusive, 3 rates of postage.

And so on, 1 additional rate being added for every additional  $\frac{1}{2}$  ounce or fraction of  $\frac{1}{2}$  ounce.

V. Subject to the payment mentioned in Article II, the British Post Office shall retain the whole amount of postage collected in the United Kingdom upon international paid letters forwarded to Denmark, and upon international unpaid or insufficiently paid letters received from Denmark; and, subject to the payment mentioned in Article II, the Danish Post Office shall retain the whole amount of postage collected in Denmark upon international paid letters forwarded to the United King-

dom, and upon international unpaid or insufficiently paid letters received from the United Kingdom.

VI. The Danish Post Office shall pay to the British Post Office, for the territorial conveyance through the United Kingdom of letters forwarded in open mails in transit through the United Kingdom to or from countries or colonies beyond sea, *videlicet* :

For every single paid letter originating in Denmark and addressed to such countries or colonies, the sum of 1*d.*;

For every single unpaid letter originating in such countries or colonies and addressed to Denmark, the sum of 2*d.*

The Danish Post Office shall also pay to the British Post Office upon this class of letters the rate paid by the inhabitants of the United Kingdom for letters having the same origin or destination; from which rate, however, the sum of 1*d.* shall be first deducted in all cases where such rate includes the British inland rate.

The conditions under which letters sent in transit through the United Kingdom to or from Denmark shall be exchanged between the Danish Post Office and the British Post Office, in conformity with the foregoing stipulations, are shown in Table A, annexed to this Convention.

VII. The British Post Office shall pay to the Danish Post Office for the territorial conveyance through Denmark of letters forwarded in open mails in transit through Denmark to Sweden and Norway, *videlicet* :

For every single paid letter originating in the United Kingdom and addressed to those countries, the sum of 4 skilling *rigsmünt*;

For every single unpaid letter originating in those countries and addressed to the United Kingdom, the sum of 7 skilling *rigsmünt*.

The British Post Office shall also pay to the Danish Post Office upon this class of letters the rate paid by the inhabitants of Denmark for letters to or from Sweden and Norway, provided that a larger amount be not paid to those countries by the Danish Office for the Swedish and Norwegian share of postage than for letters to and from Denmark itself; but, from the said amount of postage there shall be deducted the share which shall represent the Danish postage.

VIII. The Danish Post Office may deliver to the British Post Office registered letters addressed to the United Kingdom originating in Denmark, Sweden, or Norway.

Reciprocally the British Post Office may deliver to the Danish Post Office registered letters addressed to Denmark originating in the United Kingdom or in countries or colonies beyond sea.

The postage of registered letters shall always be paid in advance.



In addition to this postage there is also to be charged a registration fee, the amount of which shall be fixed and retained by the dispatching Office.

IX. The Danish Post Office may further deliver to the British Post Office registered letters originating in Denmark, Sweden, or Norway, and addressed to the United States of North America (including California and Oregon), Liberia, the British Colonies of India, Malta, Gibraltar, Hong Kong, the British West Indies, the Cape of Good Hope, St. Helena, Natal, Ceylon, Mauritius, New South Wales, Victoria, Tasmania, South Australia, Western Australia, Queensland, New Zealand, Newfoundland, Bermuda, Canada, New Brunswick, Nova Scotia, Prince Edward Island, Sierra Leone, Gambia, the Gold Coast, Lagos, and the Falkland Islands.

On its side, the British Post Office may deliver to the Danish Post Office registered letters originating in the United Kingdom, or in countries or colonies beyond sea, and addressed to Sweden or Norway.

X. For every registered letter addressed to Sweden or Norway, forwarded *via* Denmark, the British Post Office shall account to the Danish Post Office, in addition to the postage due to the Danish Post Office, for such sum as the Danish Post Office may fix.

On its side, the Danish Post Office shall account to the British Post Office, in addition to the postage due to the British Post Office, for such sum as the British Post Office may fix upon every registered letter addressed to any of the countries or colonies enumerated in Article IX preceding.

XI. Except that each Office may refuse to deliver newspapers or other printed papers the importation of which may be prohibited by the laws and regulations of the country to which they are forwarded; and subject to the following conditions, book packets (including under that designation newspapers and printed papers of every kind), may be sent from Denmark to the United Kingdom at such rates of postage as may be fixed by the Danish Post Office, and from the United Kingdom to Denmark at such rates of postage as may be fixed by the British Post Office.

1. The extent to which prepayment of postage shall be compulsory, and the additional amount to be charged upon unpaid or insufficiently paid book packets, shall be determined by the dispatching Office.

2. Each Office shall keep the amount of postage which it collects, but subject to the payment by the Danish Post Office to the British Post Office of the transit rates referred to in Article II preceding, and *vice versa*.

3. Every packet must be sent either without a cover or in a

cover open at the ends or sides, so as to admit of the examination of its contents.

4. A book packet may contain any number of separate books or other publications, prints, or maps, whether printed, engraved, or lithographed, and whether on paper, parchment, or vellum, and also photographs on paper, parchment, or vellum; further, all legitimate binding, mounting, or covering of a book, publication, &c., or of a portion thereof, shall be allowed, whether such binding, &c., be loose or attached; as also rollers in the case of prints or maps, markers (whether of paper or otherwise), in the case of books, and, in short, whatever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto.

5. Except that in book packets containing unbound proof sheets only, ordinary corrections in writing shall be allowed, no book packet may contain any writing, figures or manual marks whatsoever.

6. No book packet must exceed two feet British or one ell Danish measurement in length, or one foot or half ell Danish in width, or depth, or 3 pounds Danish in weight.

XII. Packets containing patterns of merchandize shall be sent from the United Kingdom to Denmark at such rates of postage as may be fixed by the British Post Office, and from Denmark to the United Kingdom at such rates of postage as may be fixed by the Danish Post Office.

The following conditions must, however, be observed with respect to such packets:

1. The patterns of merchandize must not be of intrinsic value. No article of a saleable nature, or which has a value of its own apart from its mere use as a pattern, shall be sent at the rates applicable to patterns of merchandize, and the quantity of any material sent ostensibly as a pattern shall not be so great that it could fairly be considered as having on this ground an intrinsic value.

2. The patterns of merchandize must not bear any other writing than the address of the person for whom they are intended, a manufacturer's or trade mark, numbers, and prices; and these particulars must, in all cases, be given, not on loose pieces of paper, but on small labels attached to the patterns, or the bags or boxes containing them.

3. The patterns of merchandize must be sent (as in the case of books) in covers open at the ends, so as to admit of easy examination. Samples, however, of seeds, drugs, and articles of a similar description which cannot be sent in open covers, shall be allowed to be enclosed in boxes, or in bags of linen, paper, or other material fastened in such a manner that they may be readily opened; or such samples may be sent in bags entirely closed, provided the bags are transparent, so that

the officers of the Post Office may be able to satisfy themselves as to the nature of the contents.

4. No article likely to injure the contents of the mail bags or the person of any officer of the Post Office shall be sent through the post as a pattern of merchandize; but scissors or other similar articles may be forwarded from one country to the other through the post as patterns, provided they be packed and guarded in so secure a manner as to afford complete protection to the contents of the mail bags and the officers of the Post Office, while at the same time the patterns may be easily examined.

As in the case of books, each office shall keep the amount of postage which it collects on patterns of merchandize, but subject to the payment of the transit rates referred to in Article II preceding.

XIII. It is understood that each office is to be at liberty to alter from time to time any of the rates of postage or other charges which by the foregoing Articles it is authorized to fix.

XIV. The Post Office of Denmark shall pay to the British Post Office, for the conveyance across the United Kingdom of book packets in transit which the British Post Office shall convey through its territory on account of the Post Office of Denmark, the sum of 3*d.* per pound, British, net weight.

The Post Office of Denmark shall further pay to the British Post Office, for the sea conveyance of book packets which shall be conveyed on account of the Post Office of Denmark by British mail packets or by private ships leaving or arriving at the ports of the United Kingdom, the sum of 5*d.* per pound, British, net weight.

In consideration of the expense incurred by the British Post Office, for the conveyance of mails across the Isthmus of Suez or the Isthmus of Darien, the Post Office of Denmark shall further pay to the British Post Office for book packets which the Post Office of Denmark shall forward or receive by British mail packets and by way of either isthmus, videlicet:

For the conveyance of book packets across the Isthmus of Suez a transit rate of 1*d.* per pound, British, net weight;

For the conveyance of book packets across the Isthmus of Darien a transit rate of 4½*d.* per pound, British, net weight.

Reciprocally, the British Post Office shall pay to the Post Office of Denmark, for the conveyance across the territory of Denmark of book packets to or from Sweden or Norway which the Post Office of Denmark shall convey through the territory of Denmark on account of the British Post Office, the sum of 10 skilling rigsmünt per pound British, net weight.

XV. No charge beyond the rates specified in the foregoing Articles, whether for delivery or upon any other ground, shall be made either in the United Kingdom or in Denmark upon



letters, newspapers, book packets, or patterns of merchandize conveyed between the two countries.

XVI. The Post Office of Denmark engages to grant the transit through the Danish territory of the closed mails which the British Post Office may exchange in either direction by way of Denmark with Norway or Sweden.

The British Post Office, on its side, engages to grant the transit through the British territory, as well as the conveyance by British mail packets or private ships departing from or arriving at ports of the United Kingdom, of the closed mails which the Danish Post Office may exchange, in either direction, by way of the United Kingdom, with the United States of North America, the Island of St. Thomas, and Iceland.

The payments, however, for closed mails shall be at the same rates as if the mails were open. Nevertheless, in order to avoid the trouble of accounting for each separate letter, a charge per ounce weight shall be substituted, such charge to be determined from time to time from actual observation and to the satisfaction of the two offices.

This Article shall not come into operation till the Danish Post Office shall have notified to the British Post Office that it is prepared to act upon it.

XVII. Letters, book packets, and patterns of merchandize mis-directed or mis-sent shall reciprocally be returned without delay through the respective offices of exchange for the same weight and amount of postage at which they were charged by the dispatching office.

In those cases where letters are subject to compulsory prepayment and are sent unpaid, they are to be treated as mis-sent.

The articles of a like nature addressed to persons who have changed their residences shall be mutually forwarded or returned, charged with the rate which would have been paid by the receivers.

Letters, book packets, and patterns of merchandize, when directed to persons who have left the country, shall be forwarded to their new place of destination subject to additional postage, and if registered, to an additional registration fee, to be collected on delivery, the additional registration fee being wholly retained by the country where the delivery takes place.

XVIII. Ordinary letters, book packets, or patterns of merchandize which cannot be delivered, from whatsoever cause, shall be mutually returned at the expiration of every week.

Undelivered registered letters, or such registered letters as are addressed to persons who cannot be found, shall, on the other hand, be returned as quickly as possible.

Such of those articles as shall have been charged in the accounts shall be returned for the amount of postage which was originally charged by the dispatching office. Those which



were sent paid to destination shall be returned without postage or charge.

XIX. The mails to be exchanged between the Danish Chief Post Office at Hamburg and the British Post Office at London, shall be accompanied by letter bills according to forms to be agreed upon.

The office to which the mail shall be forwarded shall acknowledge its receipt to the dispatching office by return of post.

At the foot of each letter bill shall be stated the net weight of the letters and book packets, in which, however, is not to be included the weight of the returned correspondence, letter bills, and accounts.

Should there be no letters to forward, a blank letter bill shall be sent.

XX. The British office shall every month prepare separate accounts exhibiting the results of the transmission between the respective offices of exchange of the correspondence mutually exchanged, whether in ordinary mails or in closed mails. Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the month.

The separate accounts shall be incorporated in general accounts, which shall be compared and settled by the two offices, and the balance shall be paid at the end of every quarter by that office which shall be found to be indebted to the other.

XXI. The present Convention shall be carried into effect on the day on which the two offices shall agree, and shall continue in force until one of the two Contracting Parties shall have announced to the other, six months in advance, its intention to terminate the Convention.

During these six months the Convention shall continue to be fully and entirely carried into effect, without prejudice to the settlement of the accounts between the two offices after the expiration of the said term.

All the Conventions which now regulate the exchange of correspondence between the United Kingdom and Denmark shall cease to have effect from the date of the day when the present Convention shall be put into execution.

London and Copenhagen, the 29th and 5th of September, 1865.

(L.S.) STANLEY OF ALDERLEY.  
(L.S.) DANESKIOLD SAMSOE.

(A.)—TABLE showing the Conditions on which shall be exchanged, in ordinary Maile between the British Post Office and the Danish Post Office, Ordinary Letters dispatched from the Countries the Correspondence of which is transmitted through Great Britain for Denmark, for Countries *viâ* Denmark, and *vice versa*.

The Rates marked thus \* increase according to two different principles. The sum of 1*d.* out of each Rate is chargeable by fifteen grammes, and the remainder by the quarter ounce.

† The Postage to be paid by the Danish Office to the British Office for a paid Letter addressed to the Canary Islands is 6*d.* for every quarter of an ounce, and for a paid Letter addressed to Portugal or the Azores by packet, or to Madeira or to the Cape de Verdes, is 4*d.* for every quarter of an ounce.

COUNTRIES.	Letters delivered by the British Office to the Danish Office.					Letters delivered by the Danish Office to the British Office.				
	Regulation as to Payment in advance.	To what Limit.	Rate of Postage to be paid by the Danish Office to the British Office for an unpaid Letter not exceeding 15 grammes.	Rate of Postage to be paid by the British Office to the Danish Office for a paid Letter not exceeding half an ounce.		Regulation as to Payment in advance.	To what Limit.	Rate of Postage to be paid by the Danish Office to the British Office for a paid Letter not exceeding 15 grammes.	Rate of Postage to be paid by the British Office to the Danish Office for an unpaid Letter not exceeding half an ounce.	Originating in Countries <i>viâ</i> Denmark.
				Addressed to Denmark.	Addressed to Countries <i>viâ</i> Denmark.					
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.
Antigua, Bahamas, Barbadoes, Bermuda, British Guiana, Cariaçou, Dominica, Grenada, Honduras, Jamaica, Montserrat, Nevis, St. Christopher (St. Kitts), St. Lucia, St. Vincent, Tobago, Trinidad, Tortola.	Optional	Destination ...	s. d. 1 1	d. 1	The same rate as for paid Letters coming from England	Optional.	Destination ...	s. d. 1 0	d. 2	The same rate as for unpaid Letters addressed to England
Canada { by Canadian Packet ... } Nova Scotia, New } via United States... Brunswick, Prince } via Halifax Edward Island. } via United States.	Do. Do. Do. Do.	Do. ... Do. ... Do. ... Do. ...	0 7 0 9 0 7 0 9	1 1 1 1	Do. Do. Do. Do.	Do. Do. Do. Do.	Do. ... Do. ... Do. ... Do. ...	0 6 0 8 0 6 0 8	2 2 2 2	Do. Do. Do. Do.
Newfoundland ... Ascension ...	Do. Compulsory	Do. ... Port of embarkation	0 7 1 1	1 ...	Do. ...	Do. Compulsory	Do. ... Port of embarkation	0 6 1 0	2 —	Do. —

	Optional	Destination ...	0 7	1	Do.	Optional	Destination ...	0 6	2	Do.
Lagoa, Liberia, Gold Coast, Gambia, Gibraltar, Sierra Leone, Falkland Islands ... ..	Compulsory	Port of embarkation	1 1	...	...	Compulsory	Port of disembarkation	1 0	—	—
New Granada, Venezuela, and Costa Rica ... ..	Do.	Do. ...	0 7	...	...	Do.	Do. ...	0 6	—	—
Badagry, Bonny, Cameroons, Fernando Po, Goree, Old Calabar, Whydah ... ..	Optional	Destination ...	1 1	1	Do.	Optional	Destination ...	1 0	2	Do.
Cape of Good Hope, Natal, St. Helena ... ..	Compulsory	Port of embarkation	1 1	1	...	Compulsory	Port of disembarkation	1 0	—	—
Buenos Ayres and Monte Video... ..	Do.	Do. ...	1 1	...	...	Do.	Do. ...	1 0	—	—
Vancouver's Island and Brazil ... ..	Optional	Destination ...	1 1	...	...	Optional	Destination ...	1 0	—	—
Hayti, Martinique, and Guadeloupe ... ..	Compulsory	Port of embarkation	1 1	...	...	Compulsory	Port of disembarkation	1 0	—	—
The Canary Islands ... ..	Do.	Do. ...	1 1	...	...	Do.	Do. ...	1 0	—	—
Madeira and the Cape de Verdes ... ..	Optional	Destination ...	1 1	1	Do.	Optional	Destination ...	1 0	2	Do.
Portugal and Azores { by Packets ... ..	Compulsory	Port of embarkation	1 1	1	Do.	Compulsory	Port of disembarkation	1 0	2	Do.
United States of North America, including California and Oregon. { by Private Ship ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.
United States of North America, including California and Oregon. { by American Packet. ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.
Portugal and Azores { by Packets ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.
United States of North America, including California and Oregon. { by British Packet. ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.
California and Oregon, via Southampton ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.
West Coast of South America (via Panama) ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.
Sandwich Islands, via United States ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.
Mexico, Cuba, Porto Rico ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.
Guatemala, St. Eustatius, Cayenne, St. Martin's, Surinam, and Grey Town ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.
St. Croix and St. Thomas ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.
Foreign Countries generally except Portugal and the Azores) beyond Sea, by Private Ships leaving or arriving at Ports of the United Kingdom. ... ..	Do.	Do. ...	1 1	1	Do.	Do.	Do. ...	1 0	2	Do.

ADDITIONAL ARTICLE *to the Postal Convention between the United Kingdom of Great Britain and Ireland and the Kingdom of Denmark.*

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THE Danish Chief Post Office at Lübeck shall be, provisionally, the Post Office for Exchange, instead of the Danish Chief Post Office at Hamburg.

The directors of the two General Post Offices are authorized to make such alterations, with reference to the selection of Post Offices for exchange, as the relations of intercommunication may render advisable.

Copenhagen and London, the 5th and 29th of September, 1865.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) DANESKIOLD SAMSOE.

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Showing the conditions on which shall be exchanged, in ordinary Mails between the British Post Office and the Danish Post Office, ordinary Letters dispatched from Malta, Gibraltar, Ceylon, Mauritius, Hong Kong, the East Indies, Australia, Tasmania, and New Zealand, and transmitted through Great Britain for Denmark, for countries via Denmark, and vice versa.

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## DOMINICA.

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*LAW on the Maritime Commerce of the Dominican Republic ; so far as relates to the opening of Ports for Trade ; to Port Charges ; to the Coasting Trade ; and to Shipwrecks. St. Domingo, June 20, 1855.*

(Translation.)

### CHAPTER I.—*Qualification of Ports.*

ART. I. The following ports are declared open for the import and export trade in national or foreign vessels :

Santo Domingo, Tortuguero de Azua, Puerto Plata, Samana, and Romana.

II. The port of Monte Christi, is declared open for exportation only.

III. Foreign vessels that arrive at the open ports may load in any part of the Republic by means of a permit from the administrator or comptroller of the Custom-House ; but they must of necessity be cleared for abroad from an open port.

### CHAPTER II.—*Port Charges.*

IV. All national vessels, likewise those belonging to friendly nations coming to the open ports of the Republic from abroad, shall pay the following charges :

1st. For every ton that the vessel measures according to its register, one Spanish dollar (equal to 4s. 2d.).

2nd. For lighthouse duty, where there is a lighthouse, for every ton, 6 cents Spanish (equal to 3d.).

3rd. Foreign vessels to load on the coast, for every ton, 50 cents Spanish (equal to 2s. 1d.).

4th. Anchorage, for every ton, 6 cents Spanish (equal to 3d.).

5th. Pilotage, when they avail themselves of it, for every ton, 6 cents (equal to 3d.).

6th. Entry, for every ton, 6 cents (equal to 3d.).

7th. Duty for the stage, when unloading, 2 dollars Spanish (equal to 8s. 4d.), for every day that use is made of it.

8th. For wharfage, 1 per cent. on the total amount of import and export duties.

9th. For interpreter's dues, for every vessel up to 100 tons, 2 dollars (equal to 8s. 4d.).

From 101 tons upwards, 4 dollars (equal to 16s. 8d.).

For the look-out, every vessel up to 100 tons, 2 dollars Spanish (equal to 8s. 4d.).

From 101 tons upwards, 4 dollars Spanish (equal to 16s. 8d.).

To the health officer, 2 dollars Spanish (equal to 8s. 4d.).

10th. For water, where there is a well, and when it is taken, 1 dollar (equal to 4*s.* 2*d.*) per hhd.

V. The vessels of those nations that have not concluded Treaties of Commerce and Navigation, which are, therefore, not assimilated to Dominican vessels, shall pay 50 cents (2*s.* 1*d.*) more on the tonnage duty.

VI. Vessels under 20 tons, coming from abroad, are only subject to the following duties :

1st. Tonnage duty.

2nd. Wharfage duty on goods imported or exported.

3rd. Duty of permit to go to load on the coast, if foreign vessels.

VIII. The following shall be exempted from all duty :

1st. Men of war, packets or mails, whether national or foreign, vessels that arrive expressly with emigrants, and vessels that under stress of weather put into a port, sell a part of their cargo, solely to provide for their necessities, without entering into any other kind of commerce.

2nd. Those that enter and clear out in ballast, and those that put in for want of provisions, or to ascertain the market prices, to take in water, for the repair of damages, or other motives, always provided that they do not discharge or take in goods.

3rd. Vessels that on account of damage, discharge a part, or the whole of their cargo, if sold on account of those interested, shall pay the same port charges as any other vessel; nevertheless, if the cargo be re-exported in the same vessel or any other, without disposing of any part of it, they shall pay only two per cent. for storage according to the valuation of arbitrators, and for wharfage, anchorage, pilotage and water, if they take it.

IX. The charges mentioned in the foregoing Articles shall be collected in ready money (Spanish) before the departure of the vessel, and the delivery of the register and other papers to the captain, unless that for prompt clearance and the facilitation of trade, or for some urgent reason, the consignee shall give security in writing to the satisfaction of the comptroller of the Custom-House, in which case these requisites shall be dispensed with, and the vessel shall be dispatched without delay.

X. When, in consequence of insolvency, or for any other cause, the captain of a vessel fails to pay the expenses as stipulated by Article IV of the present law, the vessel and its appurtenances shall be responsible for the amount due from the captain.

XI. Vessels that arrive in ballast, seeking freight, water, or provisions, or with cargo, when the captains declare that they have entered in transit without intention to discharge any part

of their cargo, cannot remain in port, either in the one case or in the other, above 48 hours, the Custom-House officers taking all necessary precautions while they stay to prevent smuggling; but those which are obliged to put in on account of damage, or other cause unavoidable in the opinion of the comptroller, may be allowed by him such a number of days as he shall consider necessary.

#### CHAPTER VIII.—*Of the Coasting Trade.*

LXXIX. The coasting trade can only be carried on by vessels of Dominican construction, or by those that have obtained their letters of naturalization, and are the property of Dominicans or naturalized foreigners.

LXXX. Foreign vessels may be employed in the coasting trade with a permit from the superior authority, in case national vessels cannot be found for the purpose, and paying 50 cents per ton for every voyage which they make on the coast.

LXXXI. The coasting trade is under the special supervision and care of the Land and Marine Preventive Service, which shall employ all proper measures to prevent any infraction of the laws upon this subject, and any evasion of this law respecting smuggling.

#### CHAPTER IX.—*Of Shipwreck.*

LXXXV. If a vessel should be wrecked on the coasts of the Republic, and the merchandize or goods should be imported in another vessel, national or foreign, the duty according to the tariff of importation in force shall be paid thereupon at the periods stipulated by the Custom-House regulations.

LXXXVI. If the merchandize or provisions should have suffered damage, it shall be estimated as provided in Article XXXII of this Custom-House Law, and no duties shall be paid upon it.

LXXXVII. In case a vessel, or its cargo, should have no known owner, nor any one to represent him, the said cargo shall be sold by public auction at the Custom-House of the nearest port to the place of the wreck, and the comptroller shall deduct from the net proceeds, the expenses and the amount of duties belonging to the public revenue, and shall deposit the balance with the particular board.

LXXXVIII. If within the term of a year, reckoned from the day of the sale, the owner of the vessel, or of the cargo saved, should appear and prove it to be his property, the sum deposited shall be delivered over to him; but after the lapse of that term, without any one having presented himself to claim the sum, it shall be passed to the Treasury as an extraordinary receipt.



LXXXIX. If a vessel should be wrecked in any part or port of the Republic, and the crew be saved, the first duty of him under whose command they are, shall be to present himself before the authority of the place and make his declaration, so that the said authority may afford him all the necessary assistance for the preservation and protection of their interests, and no authority shall deny the same on pain of incurring heavy responsibilities.

XC. The authority who receives the aforesaid declaration, shall give notice to the finance officer of his jurisdiction, who shall immediately proceed to the place of the disaster, or shall send one of his subordinates to make an inventory in duplicate of the vessel and its cargo, which shall be signed by the captain or supercargo, if there be one, and by the financial official; one copy of the inventory shall be remitted to the Custom-House, and the other shall remain with the supercargo of the vessel, and shall serve as an invoice to make the entry at the Custom-House, and for the sale of the cargo saved, either there or elsewhere.

XCI. When a vessel shall have been saved by the assistance of persons not belonging to the crew, the salvage and other costs and expenses incurred thereby shall be paid to the parties from the net proceeds of the sale of the vessel and its cargo, according to the decision of the Central Committee of the Customs.

CIX. The present law annuls that of July 7, 1847, and all previous laws, which are contrary to it; it shall be put in force 60 days after its publication, and shall be sent to the Executive Power for the requisite constitutional purposes.

Given in the city of St. Domingo, capital of the Republic, the 20th day of the month of June, of the year 1855, and the 12th of the country.

BOBADILLA, *President of the Senate.*  
FELIPE PERDOMO, *Secretary.*

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Let it be executed, published, and circulated in the territory of the Republic for its punctual observance.

Given in the National Palace of St. Domingo, the 30th day of the month of June, 1855, and the 12th of the country.

MANUEL DE R. MOTA, *Vice-President of the Republic,*  
*in charge of the Executive Power.*

M. LAVASTIDA, *Minister of Finance and Commerce.*

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**DECREE** of the *Dominican Republic*, withdrawing from *Foreign Merchant Ships* the general Privilege of carrying on the *Coasting Trade*, and confining the same to certain Ports. *San Domingo*, December 30, 1858.

(Translation.)

PEDRO SANTANA, Liberator of the Country, Commander-in-Chief of the Army, and, by the sovereign will of the People, charged with the restoration of the dominion of the Constitution and the Laws, &c.

Whereas, the national mercantile marine is in a state of extreme decay, and the Government is bound to adopt all means within its power to effect its development as required for the benefit and advantage of the Republic.

Whereas, under the pretence of coasting, foreign vessels introduce contraband goods to the injury of the national treasury, because there are no Custom-Houses, nor coast guards, nor public offices on the coast.

Whereas, the coasting trade in foreign ships has given rise to frequent failures, to the discredit of commerce, and occasions loss by reason of the high freights and increased premiums of insurance which must be paid.

Whereas, the coasting trade is exclusively reserved by the law of maritime commerce for the national shipping.

In the exercise of the extraordinary powers entrusted to me by the sovereign will of the people I have decreed, and do

### DECREE.

ART. I. From and after the 1st of July next, the coasting trade by means of foreign ships is prohibited.

II. The coasting trade, by means of foreign ships, shall be only allowed at the ports which are difficult of access, which are declared to be, Barburuco, Paradis, and Petit Trou, on the south coast, and Babaro, Macao, and Cabarete, on the north coast, on paying a licence duty of 4 dollars per ton.

III. This decree is to be enforced under the direction of the Secretary for Finance and Commerce.

Given at the National Palace of St. Domingo, capital of the Republic, on the 30th of December, 1858, and the 15th of the country.

(Registered.) SANTANA.

JOSE M. PERDOMO,

*Secretary of Finance and Commerce.*

## EGYPT.

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AGREEMENT *between the British Government and the Viceroy of Egypt, relative to the transmission of British Mails to and from the East Indies through Egypt. Signed at Alexandria, June 16, 1858.*

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HER Britannic Majesty's Government having instructed John Green, Esq., Her Majesty's Consul at Alexandria, now acting as Her Majesty's Agent and Consul-General in Egypt, to regulate, by a new agreement\* with His Highness the Viceroy of Egypt, the transmission through Egypt of Her Britannic Majesty's mails to and from the East Indies, Her Majesty's other possessions and colonies, and such other countries as British mails are made up for, through Egypt;

And His Highness Saïd Pasha, the Viceroy of Egypt, having appointed for this purpose his Excellency Nubar Bey, Director of the Railway and Transit Administration;

The above-named have agreed upon the following Articles:

ART. I. The Egyptian Government guarantees the safety of Her Majesty's mails while passing through Egypt, provided that the Viceroy remains entrusted with the full and uninterrupted power enjoyed by his father and his predecessors, especially that of confirming or commuting sentences of tribunals in criminal matters.

II. The Egyptian Government engages to convey from Alexandria to Suez, and from Suez to Alexandria, the British mails to and from the East Indies, Her Majesty's other possessions and colonies, and such other countries as British mails are made up for, through Egypt. Local mails shall also be carried between Alexandria, Cairo, and Suez.

III. The time occupied in conveying the mails from Alexandria to Suez, and *vice versâ*, shall not, except under uncontrollable circumstances, exceed 24 hours; the hours to be computed from the time the mails are handed over the side of the British packets at Alexandria, up to their delivery on board the corresponding packets at Suez, and *vice versâ*. But this arrangement is on the understanding that the packet from Southampton shall have arrived at Alexandria not less than 20 hours before that bringing the overland mail; and that the packet from Alexandria with the homeward mail shall sail for Southampton not less than 20 hours after that with the homeward overland mail.

Should such interval of 20 hours not be maintained, then, in every such case, the difference between 20 hours and the

\* March 30, 1852. See State Papers. Vol. 57.

actual interval shall be added to the 24 hours to be allowed for each transit from packet to packet. Thus, if the interval be only 10 hours, 34 hours shall be allowed for the transit, and so on.

IV. When there is no separate arrival of the overland mail from Great Britain, or no separate despatch from Alexandria of the overland mail for Great Britain, 44 hours shall be the time allowed each way for the transit of the mails from packet to packet.

V. Should it become practicable, the Egyptian Government agrees so to accelerate the conveyance of the mails as to complete the work in less time than that specified in the preceding Article.

VI. So long as any part of the railway between Cairo and Suez shall remain unopened for use, additional time shall be allowed for the conveyance of the mails, calculated on the slower pace of camels as compared with travelling by railway, and the administration binds itself to accelerate the transport of the mails through the desert by camels as much as possible.

VII. The British Post Office shall be at liberty, as heretofore, to send messengers (not more than 3 in number) with the mails; and suitable provision shall be made for the conveyance of these messengers from Alexandria to Suez and back, and from Suez to Alexandria and back.

VIII. The Egyptian Government shall provide substantial and safe boats for landing and embarking the mails at Alexandria and Suez, and proper means for the conveyance of the mails between the point of embarkation or landing and the railway; also a suitable carriage for the conveyance of the local mail between the point of embarkation or landing and the Post Office in Alexandria, and between the Post Office and the railway station.

IX. On the railway the mails shall be conveyed in closed trucks, and neither passengers, goods, nor anything else shall be placed in the same trucks.

X. The Egyptian Government shall provide suitable and separate places on the quays at Alexandria and Suez for the landing, loading, and embarkation of the mails. Warehouse room also shall be afforded at the railway stations at Alexandria and Suez for storing such mails as it may be necessary to leave at these stations, and in these warehouses accommodation shall be provided for sorting the mails, should such be required by the British Post Office. The keys of such warehouses shall be in charge of the agents of Her Britannic Majesty's Postmaster-General.

XI. For the due performance of all the foregoing services by the Egyptian Government, Her Britannic Majesty's Government agree to pay the sum of 12,000*l.* sterling per annum, the



payments to be made quarterly (3,000*l.* each quarter), commencing with the expiration of the first quarter. The exchange to be calculated at 97½ piastres per sovereign, according to the Egyptian Government tariff.

XII. Should the agent of Her Britannic Majesty's Government appointed for the purpose fail to make the quarterly payment within 15 days of the appointed time, Her Majesty's Government shall be bound to forfeit to His Highness the Viceroy the sum of 100*l.* sterling for every such delay; and, on the other hand, should the time occupied in the conveyance of the mails ever exceed that mentioned in Article III, the Egyptian Government agree that the sum of 100*l.* sterling shall be deducted from the next quarterly payment for every such delay, unless the delay should arise from causes over which the Egyptian Government have no control.

XIII. Should the number of mails in transit through Egypt be increased beyond the present number of 5 mails monthly each way (the mail *viâ* Southampton and the overland mail being always counted together as one mail only), the payment to the Egyptian Government shall be increased at the rate of 100*l.* for each single transit.

XIV. The present agreement is concluded for 3 years, from the 30th June next, and shall remain in force during a continued succession of periods of 3 years each, unless a notification to the contrary be made by either party to the other 12 months at least before the expiration of any such period.

XV. In witness whereof the before-named Nubar Bey and John Green, Esq., have signed the present agreement, and affixed thereto their respective seals.

Done in duplicate, Alexandria, 16th June, 1858.

(L.S.) N. NUBAR.

(L.S.) JOHN GREEN.

BRITISH TREASURY WARRANT, *firing the Rates of Postage on Books, &c., transmitted between Malta, or Gibraltar, and Egypt.* May 11, 1864.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the regulation of the duties of postage,"\* certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, in respect of letters, newspapers, parliamentary

\* See Vol. 5. Page 248.

proceedings and printed papers, transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post.

And whereas by the said Act powers were given to the Commissioners of Her Majesty's Treasury, from time to time and at any time thereafter, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage, payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant and from time to time by Warrant as aforesaid, to alter or repeal any of such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time by Warrant as aforesaid, to appoint at what times the rates which may be payable are to be paid, and the power thereby given to alter and fix rates of postage, is extended to any increase or reduction or remission of postage.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by an Act of Parliament passed in the 11th year of the reign of Her present Majesty (chapter 83),\* intituled "An Act for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office."

And whereas it is expedient that packets consisting of books, publications, or works of literature or art, whether British, *Colonial* or *Foreign*, should be transmitted by the post between *Malta* and *Gibraltar* and *Egypt*, by British packet boat, and that certain rates should be fixed and certain regulations made for that purpose, in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers or authority in us for that purpose vested in and by the said hereinbefore recited Acts of Parliament, or either of them, and of all powers enabling us in this behalf, do by this Warrant, under the hands of two of us the said Commissioners (by the authority of the statute in that case made and provided) order, direct, and declare, as follows:

1. All packets consisting of books, publications, or works of literature or art, whether British, *Colonial*, or *Foreign*, posted in *Malta*, or *Gibraltar*, addressed to *Egypt*, or posted in *Egypt* addressed to *Malta* or *Gibraltar*, may be transmitted by the post between *Malta* and *Gibraltar* and *Egypt* by British packet boat, subject to the several rates of postage hereinafter mentioned, that is to say:

On every such packet so transmitted, if not exceeding 4

\* See Vol. 8. Page 247.

ounces in weight, there shall be charged, taken, and paid, an uniform British rate of postage of 3*d*.

And on every such packet exceeding 4 ounces in weight, there shall be charged, taken, and paid, progressive and additional rates of postage, as follows, that is to say :

On every such packet if exceeding 4 ounces, and not exceeding  $\frac{1}{2}$  pound in weight, 2 rates of postage.

And on every such packet, if exceeding  $\frac{1}{2}$  pound, and not exceeding 1 pound in weight, 4 rates of postage.

And on every such packet, if exceeding 1 pound and not exceeding  $1\frac{1}{2}$  pound in weight, 6 rates of postage.

And on every such packet, if exceeding  $1\frac{1}{2}$  pound and not exceeding 2 pounds in weight, 8 rates of postage.

And for every additional  $\frac{1}{2}$  pound in weight, of any such packet above the weight of 2 pounds, there shall be charged, taken, and paid, 2 additional rates of postage, and every fractional part of such additional  $\frac{1}{2}$  pound in weight, shall be charged as an additional  $\frac{1}{2}$  pound in weight, and each progressive and additional rate chargeable under this clause, shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

2. Every packet transmitted by the post, under the authority of this Warrant, shall be so transmitted in conformity with, and under, and subject to the several regulations, orders, directions, and conditions hereinafter contained, that is to say :—

No such packet which in length or breadth or width shall exceed the dimensions of 2 feet shall be forwarded by the post under the provisions aforesaid.

The terms “books, publications, or works of literature, or art,” in this Warrant used, shall, for the purposes of this Warrant, mean and comprise all such articles as in their general character are either literary, or consist of printed, written, engraved, or lithographed matter (although not strictly literary), including books (whether printed, written, or plain), publications or compilations (whether in print or in manuscript), almanacs, printed or lithographed letters, and such artistic productions as prints, maps (whether on paper, or canvas, or cloth, and whether printed or written), and photographs when not on glass, or in frames containing glass, and any description of paper, parchment, or vellum (whether printed, lithographed, written upon, or plain, or any mixture of the four), together with any binding, mounting, or covering of, or upon, or belonging to any such article or production, or any portion thereof, or of or belonging to any paper, parchment, or vellum, and including also any cases, or rollers of prints, or maps, bookmarkers (whether of paper or otherwise), pencils, pens, or other thing

usually appertaining to any such article or production, paper, parchment, or vellum, or necessary for its safe transmission which shall be sent in the same packet with any such article or production to which they or it shall belong. And all letters, notices, and other communications (whether upon paper, parchment, or vellum) partly printed, or partly lithographed, and partly written, which, if wholly written, would not be considered letters or communications in the nature of letters. Provided, nevertheless, that nothing herein contained shall extend to authorize the sending by the post, under the provisions of this Warrant, of any patterns, or books of patterns, or papers of patterns, of any article or thing whatsoever, nor of any letter, notice, or other communication (whether upon paper, parchment, or vellum) partly printed, or partly lithographed, and partly written, which if wholly written would be considered a letter, or a communication in the nature of a letter; nor of any packet consisting of or containing any photographs, drawings, prints, or other contents, which may be obviously of an obscene character, nor of any packet comprising prints or printed matter, unless such prints or printed matter shall consist only of prints or printed matter on paper, parchment, or vellum.

Every packet transmitted by the post, under the authority of this Warrant, shall be sent open at the ends or sides, and either without a cover, or in a cover, or envelope, open at the ends or sides, and there shall be no written letter, either closed or open, nor any written communication, in the nature of a letter, either closed or open (whether such letter or communication be addressed to or intended for the person to whom the packet shall be directed, or any other person), nor any enclosure sealed or otherwise closed against inspection, nor any other enclosure, not authorized by this Warrant, sent in or with any such packet, nor shall there be any written letter or any written communication in the nature of a letter, in or upon any such packet or on the cover or envelope thereof.

3. Upon every packet transmitted by the post, under the authority of this Warrant, the postage thereof shall be paid at the time of the same being posted, either in money or by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon, under or by virtue of this Warrant.

IV. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post, under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be



despatched in due course of the post, or (at his option) until the despatch of the mail next after that by which the same ought, in due course of the post, to be forwarded by him.

V. If any packet sent, or tendered, or delivered in order to be sent by the post under the provisions of this Warrant, shall be sent otherwise than in conformity with the several regulations, orders, directions, and conditions hereinbefore in the 2nd clause of this Warrant contained, every such packet shall and may be detained and opened, and at the option of the Postmaster-General shall (except in the cases provided for by the clause next hereinafter contained) be either returned or given up to the sender thereof, or be given up to the person to whom it shall be addressed, or be forwarded to the place of its destination, and every such packet on being so returned, given up, or forwarded, shall, at the option of the Postmaster-General, be either free of postage, or be charged with any rate of postage he may think fit, not exceeding the postage to which it would have been liable as a letter, and such postage shall be either paid by the sender, or by the person to whom the packet shall be forwarded.

6. If any packet sent, or tendered, or delivered in order to be sent by the post under the provisions of this Warrant shall contain any written letter, or any written communication in the nature of a letter, whether closed or open, or any enclosure sealed or otherwise closed against inspection, or any other enclosure not authorized by this Warrant, every such letter, or communication, or enclosure may be taken out by any officer of the Post Office, and either returned or given up to the sender thereof, or forwarded to the address on the packet, charged in either case not only with the full rates of postage, as an unpaid letter, but also with a further and additional rate of postage, equal in amount to the single rate of postage chargeable under the provisions of this Warrant on a packet not exceeding 4 ounces in weight, and the remainder of the packet, if the postage be duly paid when posted, may be forwarded to the place of its address without any extra charge.

7. If any packet sent, or tendered, or delivered, in order to be sent by the post under the provisions of this Warrant, shall be posted in Malta or Gibraltar without any postage having been paid thereon, or without having thereon, or affixed thereto, any postage stamp, or with a postage paid thereon, or postage stamp or stamps affixed thereto, which shall represent a less amount than the postage chargeable under this Warrant, every such packet shall and may be detained and opened, and shall be either returned or given up to the sender thereof.

8. If any packet sent, or tendered, or delivered in order to be sent by the post under the provisions of this Warrant, shall be posted in Egypt, and the postage paid thereon, or postage

stamp or stamps affixed thereto, shall represent a less amount than the rate of postage to which such packet would be liable under and by virtue of this Warrant, but equal in amount to the single rate of postage which would be chargeable under this Warrant, if such packet did not exceed 4 ounces in weight, every such packet shall be forwarded, charged with the amount of the difference between the postage so paid thereon, or postage stamp or stamps so being thereon or affixed thereto, and the postage to which such packet would be liable as aforesaid, together with a further and additional rate of postage equal in amount to the single rate of postage chargeable under this Warrant on a packet not exceeding 4 ounces in weight; but if any such packet shall be posted in Egypt without any postage having been paid thereon, or without having thereon or affixed thereto any postage stamp, or with a postage paid thereon or postage stamp or stamps affixed thereto, which shall represent a less amount than the single rate of postage chargeable under this Warrant, every such last-mentioned packet shall and may be detained and opened, and at the option of the Postmaster-General shall be either returned or given up to the sender thereof, or be given up to the person to whom it shall be addressed, or be forwarded to the place of its destination. And every such last-mentioned packet, on being so returned, given up, or forwarded, shall at the option of the Postmaster-General, be either free of postage, or be charged with any rate of postage he may think fit not exceeding the postage to which it would have been liable as a letter if the postage had been paid when posted, and such postage shall be either paid by the sender, or by the person to whom such packet shall be forwarded.

9. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act, passed in the 4th year of the reign of Her present Majesty.

10. In all cases in which any questions shall hereafter arise, whether any article, matter, or thing transmitted by the post under this Warrant, is entitled to the book-post privilege, and to be so transmitted within the intent and meaning of this Warrant, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final.

11. The Commissioners for the time being of Her Majesty's Treasury may, by warrant under their hands, or the hands of any two of them at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed or altered, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from

time to time appoint at what time the rates which may be payable are to be paid.

12. This Warrant shall come into operation on the 1st day of July, 1864.

Whitehall, Treasury Chambers, the 11th day of May, 1864.

WM. DUNBAR.

LUKE WHITE.

CONVENTION ADDITIONNELLE *entre la Grande Bretagne et le Vice-Roi d'Egypte, relative à la transmission entre Alexandrie et Constantinople, par les Bateaux à Vapeur Egyptiens, des Correspondances entre Constantinople et Malte, l'Égypte, les Indes Anglaises, l'Australie, et la Chine.—Fait à Alexandrie, le 18 Juillet, 1866.*

CONVENTION Additionnelle passée entre le Gouvernement de Sa Majesté Britannique, d'une part, et Son Altesse le Vice-Roi d'Egypte d'autre part, les Soussignés dûment autorisés à l'effet des présentes par leurs Gouvernements respectifs ont conclu et arrêté ce qui suit :

ART. I. Le Gouvernement Egyptien s'engage à transporter d'Alexandrie à Constantinople et *vice versa*, au moyen des bateaux à vapeur lui appartenant ou engagés à son service, tous les paquets de poste cachetés contenant les correspondances qui peuvent avoir lieu entre Constantinople d'un côté, et de l'autre Malte, Gibraltar, les possessions Anglaises des Indes, de l'Australie et de la Chine, ou toutes autres places où les malles Anglaises auraient à passer.

II. Les paquets de poste mentionnés en l'Article précédent seront préparés aux bureaux de la poste Anglaise à Alexandrie et à Constantinople, en présence d'un employé des postes Egyptiennes ; ces paquets seront fermés et revêtus du cachet de la poste Anglaise et de celui de la poste Egyptienne ; ils seront ensuite consignés par le bureau de la poste Anglaise à la poste Egyptienne pour être embarqués à bord des bateaux chargés du service ; à l'arrivée à destination des dits bateaux les paquets de la poste Anglaise lui seront immédiatement consignés par le bureau de la poste Egyptienne.

III. Pour le transport par voie de mer des lettres ou des papiers compris dans les paquets de poste, mentionnés aux précédents Articles, le Gouvernement de Sa Majesté Britannique s'engage et s'oblige de payer au Gouvernement Egyptien pour prix de transport 20 paras pour chaque 10 grammes de poids de lettre et 2½ paras pour chaque 40 grammes de journaux ou autres papiers imprimés, le pesage fait en gros.

IV. Les lettres et papiers imprimés seront pesés au bureau de la poste Anglaise à Alexandrie au moment de l'expédition ou de la réception des envois ; immédiatement après cette opération, un rapport indiquant le poids brut de chaque classe de correspondance sera rédigé par le chef du bureau de la poste Anglaise, conjointement avec l'employé de la poste Egyptienne ; ce rapport sera signé par eux. Une expédition en sera immédiatement remise à la poste Egyptienne pour le contrôle de comptes ; à l'expiration de chaque trimestre ces comptes seront réglés et soldés au Gouvernement Egyptien par le Directeur de la poste Anglaise.

V. La présente Convention sera considérée comme additionnelle à celle passée entre le Gouvernement de Sa Majesté Britannique et celui de Son Altesse le Vice-Roi d'Egypte signée à Alexandre le 16 Juin, 1858.\*

Le présent aura cours et exécution à partir du jour de la date ci-dessus mentionnée.

Fait double à Alexandrie, ce 18 Juillet de l'an 1866.

RAGHIB.

(L.S.)

EDWARD STANTON,

*Agent et Consul-Général.*

## FRANCE.

CONVENTION *entre la France et la Compagnie Anglaise Sous-Marine, pour l'exécution et l'exploitation d'une ligne Télégraphique Sous-Marine entre la France et l'Angleterre.—Paris, le 23 Octobre, 1851.*

ENTRE M. Alphonse Foy, Administrateur en Chef des Lignes Télégraphiques, agissant au nom de l'Etat, et sous la réserve de l'approbation de M. le Ministre de l'Intérieur, d'une part :

L'Honorable William Francis Spencer Ponsonby Lord De Mauley, et l'Honorable Frederick William Cadogan, agissant au nom de la Compagnie du Télégraphe Sous-marin, constituée par une Charte Royale de Sa Majesté Britannique, datée de St. James, le 8 Mai, 1851, et de plus munis de pleins pouvoirs de la compagnie Wollaston et Compagnie, suivant Acte passé le 6 Octobre, 1851, devant Mr. Campbell, solliciteur, et dont les signatures ont été légalisées par la Chancellerie de l'Ambassade Anglaise à Paris, et par M. le Ministre des Affaires Etrangères ; et M. Sir James Robert Carmichael, Baronet, John Watkins

\* See Page 413.



Brett, Esquire, agissant au nom de la compagnie Wollaston et Compagnie, d'autre part :

Il a été dit et convenu ce qui suit :—Les Honorables Lord De Mauley et Frederick Cadogan ayant exposé que la Compagnie du Télégraphe Sous-marin entre l'Angleterre et la France, dont la raison sociale est Wollaston et Compagnie, a fait les frais nécessaires pour la confection et la pose de la ligne électrique existante actuellement entre Douvres et Calais ; que c'est M. Charlton J. Wollaston qui a fait, à la caisse des dépôts et consignations, le versement de la somme de 50,000 francs exigé par l'Acte passé le 30 Novembre, 1850, entre l'Administrateur en Chef des Lignes Télégraphiques et M. Jacob Brett ; qu'ils présentent enfin un acte émané de M. Jacob Brett, sous forme d'une lettre adressée à M. le Ministre de l'Intérieur, et daté de Londres le 29 Septembre, 1851, par lequel il fait cession de tous ses droits à la Compagnie du Télégraphe Sous-marin entre l'Angleterre et la France ; de son côté, l'Administration Française prenant ces faits en considération, et voulant, par un nouvel acte, remplacer les précédentes concessions faites à M. Jacob Brett, et invalidées par la non-exécution de partie des clauses comprises en l'acte du 30 Novembre, 1850, visé dans le décret du 19 Décembre, 1850 :

Ont été arrêtés les articles suivants, comme devant former les charges et conditions de la concession à intervenir :

ART. I. La concession à faire à l'Honorable William Francis Spencer Ponsonby Lord De Mauley, l'Honorable Frédéric William Cadogan, Sir James Robert Carmichael, Baronet ; John Watkins Brett, Esquire, de pouvoir établir et exploiter, à l'exclusion de tous autres, pendant 10 années, à partir du premier Juillet, 1852, une ligne télégraphique sous-marine entre les côtes de France, et d'Angleterre, ne pourra avoir son effet, qu'autant que la communication télégraphique entre les deux côtes aura duré sans interruption pendant 3 mois, et existera encore au premier Juillet, 1852.

II. Aucun essai de transmission ne pourra avoir lieu au moyen de la ligne sous-marine, qu'en présence d'un agent de l'administration télégraphique Française. Aucune dépêche ne pourra être envoyée ou reçue, pour le compte du public, avant le premier Juillet, 1852, qu'après un arrêté du Ministre de l'Intérieur, autorisant l'ouverture de la correspondance.

III. Le tarif pour la transmission des dépêches à travers le détroit, ne pourra en aucun cas s'élever au-dessus de 60 centimes (6d.) par mot. La compagnie aura toujours la faculté d'abaisser la taxe, selon qu'elle le jugera utile à ses intérêts, mais à la charge d'en donner connaissance à l'Administrateur en Chef des Lignes Télégraphiques. Aucun nouveau tarif ne pourra être mis en perception qu'après la formalité du visa par ce même fonctionnaire.

La perception devra se faire également entre tous les expéditeurs, sans aucune distinction ni faveur.

IV. La transmission et la communication des dépêches devront se faire dans l'ordre de leur réception dans les bureaux télégraphiques, et sans acception de personne ni de nationalité. Mais les dépêches des Gouvernements de France et d'Angleterre auront la priorité sur les dépêches privées.

V. Dans le cas où le Gouvernement Français s'entendrait avec le Gouvernement Anglais pour établir une communication télégraphique directe entre la France et l'Angleterre, la Compagnie du Télégraphe Sous-marin serait tenue de mettre à la disposition des deux Gouvernements deux fils en bon état ; mais les Gouvernements lui tiendraient compte du passage de toutes les dépêches susceptibles de taxe, à raison du tarif existant, ou d'un tarif arrêté spécialement avec la compagnie.

VI. La correspondance télégraphique à travers le détroit pourra toujours être suspendue par le Gouvernement Français, et ces suspensions ne pourront donner lieu à aucune demande en indemnité. Les transmissions seront d'ailleurs soumises aux règles prescrites par l'Article III de la loi du 29 Novembre 1850, sur la correspondance télégraphique privée.

VII. La compagnie sera tenue de faire aboutir la ligne télégraphique sous-marine jusqu'à la ville de Calais. Les appareils de transmission et de réception devront être placés à la direction télégraphique Française. Les signaux télégraphiques seront, à Calais, reçus ou envoyés par des agents de l'administration télégraphique Française, nommés, et révoqués par l'Administrateur en Chef, et cependant payés par la compagnie. Le nombre de ces agents sera de deux, si le service télégraphique n'a lieu que le jour ; il sera de 4 s'il a lieu le jour et la nuit. Leurs appointements seront ceux de la classe à laquelle ils appartiennent, mais ne pourront jamais être inférieurs à 100 francs par mois. La compagnie est d'ailleurs autorisée à prendre tels agents qu'elle voudra pour assurer et compléter son service. Dans tous les cas, aux termes de l'Article VI de la loi du 29 Novembre, 1850, l'administration télégraphique ne peut encourir aucune responsabilité.

Aucune dépêche ne pourra être envoyée ni reçue sans être visée par le directeur du télégraphe à Calais.

La compagnie aura, sous les mêmes conditions, la faculté de faire arriver les dépêches à la ville de Boulogne, au moyen d'une ligne spéciale.

Si la communication du point d'attache sur la côte avec les villes de Calais ou de Boulogne se faisait au moyen des lignes sur poteaux, l'administration des lignes télégraphiques aurait le droit de placer deux ou plusieurs fils sur ces poteaux, et le tout sans indemnité.

Dans tout les cas, il est entendu que les communications entre Calais et Boulogne ne pourront avoir lieu que par les lignes de l'état et l'intermédiaire des fonctionnaires Français.

VIII. Le cautionnement de 50,000 francs actuellement déposé à la caisse des dépôts et consignations par M. Charlton J Wollaston, restera pour garantie de l'exécution des présentes, et ne sera rendu à qui de droit qu'après le premier Juillet, 1852. Il resterait définitivement acquis au trésor public, si les conditions comprises à l'Article I n'étaient pas complètement remplies.

IX. Dans le cas où, après le premier Juillet, 1852, la Compagnie du Télégraphe Sous-marin resterait 6 mois entiers sans pouvoir faire le service quotidien des transmissions télégraphiques à travers le détroit, ou bien dans le cas d'inexécution des conditions stipulées dans le présent acte, la concession faite à la Compagnie du Télégraphe Sous-marin serait nulle de plein droit, et le Gouvernement Français pourrait traiter avec d'autres concessionnaires.

Fait double à Paris le 23 Octobre, 1851.

ALPHONSE FOY.

DE MAULEY.

FRED. CADOGAN.

J. R. CARMICHAEL.

JOHN W. BRETT.

Au même instant, sont intervenus M. Charlton J. Wollaston et M. John Watkins Brett.

M. Wollaston a déclaré avoir pris lecture de l'acte précédent, et donne sa pleine et entière adhésion à tout ce qui le concerne dans cet acte.

M. John Watkins Brett déclare approuver, au nom de son frère M. Jacob Brett, tout ce qui concerne celui-ci dans cet acte, et déclare au besoin se porter fort de son acceptation.

Fait à Paris le 23 Octobre, 1851.

JOHN W. BRETT.

CHARLTON J. WOLLASTON.

Approuvé,

*Le Ministre de l'Intérieur, LEON FAUCHER.*

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DECRET FRANCAIS *qui approuve la Convention passée, le 23 Octobre, 1851,\* pour l'exécution et l'exploitation d'une ligne Télégraphique Sous Marine entre la France et l'Angleterre. Paris, le 24 Octobre, 1851.*

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*Administration des Lignes Télégraphiques.*

AU nom du Peuple Français,

Le Président de la République, sous le rapport du Ministre de l'Intérieur,

\* See Page 422.

Vu la loi du 2 Mai, 1837 ;

Vu les deux décrets du 10 Août, 1849, et du 19 Décembre, 1850 ;

Vu la délibération du Conseil d'Administration des Lignes Télégraphiques, en date du 23 Août, 1851 ;

Vu l'acte passé le 23 Octobre, 1851, entre l'Administrateur en Chef des Lignes Télégraphiques et l'Honorable William Francis Spencer Ponsonby Lord De Mauley, l'Honorable Frederick William Cadogan, Sir James Robert Carmichael, Baronet, John Watkins Brett, Esquire, approuvé par le Ministre de l'Intérieur :

*Décète :*

ART. I. Les Honorables Lord De Mauley et Frederick William Cadogan, Sir James Carmichael et John Watkins Brett, sont autorisés à établir un télégraphe électrique sous-marin entre les côtes de France et d'Angleterre, et pouvant aboutir aux villes de Calais et de Boulogne.

II. L'exploitation de cette entreprise, à l'exclusion de toute autre du même genre, est concédée à l'Honorable William Francis Spencer Ponsonby Lord De Mauley, l'Honorable Frederick William Cadogan, Sir James Carmichael, Baronet, John Watkins Brett, Esquire, pour 10 années, à partir du 1 Juillet, 1852, et sous les clauses et conditions contenues dans l'acte passé le 23 Octobre, 1851, entre l'Administrateur en Chef des Lignes Télégraphiques et les personnes susnommées.

III. Les décrets du 10 Août, 1849, et 19 Décembre, 1850, sont rapportés en ce qu'ils auraient de contraire aux dispositions qui précèdent.

IV. Le Ministre de l'Intérieur est chargé de l'exécution du présent décret.

Fait à Paris, à l'Elisée National, le 24 Octobre, 1851.

L. N. BONAPARTE.

*Le Ministre de l'Intérieur*, LEON FAUCHER.

Pour ampliation :

*Le Secrétaire Général*, ALFRED BLANCHE.  
(Vraie copie.)

*L'Administrateur en Chef des Lignes Télégraphiques*,

ALPHONSE FOY.

*Collationné, le Chef de la 1re Division*, DUPUY.



DECLARATION *between Great Britain and France, relative to the Coal Mines at Heraclea. London, July 25, 1854.*

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*Londres, le 25 Juillet, 1854.*

LA bonne exploitation des houillères d'Héraclée offrant, dans les circonstances présentes, un intérêt égal pour la France et la Grande Bretagne, les Soussignés sont autorisés à déclarer que les résultats des démarches déjà faites, ou qui seraient faites à l'avenir, par les Ambassades de Sa Majesté l'Empereur des Français et de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, dans le but de faire contribuer ces mines à l'entretien du combustible nécessaire aux escadres combinées, sont ou demeureront acquis en commun aux deux Gouvernements, de telle sorte que l'un puisse toujours, si cela lui convient, entrer sur le pied d'une parfaite égalité dans les arrangements conclus par l'autre, soit avec le Gouvernement Ottoman, soit avec les propriétaires des mines.

(L.S.) CH. BAUDIN.

(L.S.) CLARENDON.

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AGREEMENT *between Great Britain and France, relative to the Coal Mines at Heraclea. Paris, August 3, 1854.*

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THE Undersigned, after taking cognizance of the annexed Declaration, signed in London by Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, and by the Chargé d'Affaires of His Imperial Majesty the Emperor of the French, are authorized in maintaining nevertheless for the future the principle laid down in the above-named Declaration, to conclude an agreement, the tenor of which will be communicated to the Embassies of France and England at Constantinople, and which will regulate, until modifications be adopted by mutual agreement, the usage of the mines at Heraclea by the two parties which they represent.

1. England undertakes either to work or to cause the coal mines at Heraclea to be worked.

2. The coals obtained shall be shared in common, in such manner that one half shall be destined for the use of the French navy, and the other half for the use of the British navy.

The coals will be furnished alternately to the two navies on conditions of perfect equality with respect to price and quality. It is understood, however, that in the event of the dépôt of one squadron being exhausted, the vessels of that squadron shall be

supplied, as far as practicable, from the dépôt of the other without augmentation of price.

3. A French agent will be accredited to the administration of the mines. The books and accounts kept by him, as well as those under the charge of the said administration, will be reciprocally communicated to the two parties at their desire, in fulfilment of the present agreement.

4. The coals extracted being intended for the two squadrons alone, and the transports attached to them, none shall be delivered for the use of the merchant service of either country, without the joint permission of the English superintendent and of the French agent. This clause is not intended to prejudice any supply of coals which Her Majesty's Embassy and that of the Emperor of the French may think fit to accord to the Turkish Government.

Signed in duplicate, in Paris, 3rd August, 1854.

(L.S.) COWLEY.

(L.S.) DROUYN DE LHUYS.

*CONVENTION between Great Britain and France, relative to the Establishment of a line of Electric Telegraph between Bucharest and Varna. Signed in the English and French languages, at London, February 1, 1855.\**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, wishing to ensure rapid communication between their Governments and the allied armies in the Crimea, by the establishment of a line of electric telegraph between Bucharest and Varna, they have invested with full powers to make an arrangement for that purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Knight of the Most Noble Order of the Garter, Knight Grand Cross of the Most Honourable Order of the Bath, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs;

And His Majesty the Emperor of the French, the Sieur Alexander Colonna, Count Walewski, Grand Officer of the Imperial Order of the Legion of Honour, Grand Cross of the Order of St. Januarius of the Two Sicilies, Grand Cross of the Order

\* Ratifications exchanged at London, February 28, 1855.

of Danebrog of Denmark, Grand Cross of the Order of Merit of St. Joseph of Tuscany, &c., his Ambassador to Her Britannic Majesty;

Who, after having communicated to each other their full powers, found in due form, have agreed upon the following Articles:

ART. I. A line of electric telegraph, in continuation of the Austrian lines, is to be laid down by the French Government between Bucharest and Varna, passing through Schumla, Silistria, and Routschouk. Half the expense of its construction to be defrayed by the English Government, after the completion of the works, upon inspection of the accounts.

II. The French Government is likewise to ensure, by its agents, the superintendence and the working of the line, in consideration of an annual reimbursement of one-half of the expenses.

III. Official despatches, coming either from the two Governments, or from the head-quarters of the allied armies, are to have precedence of transmission over all others, and on a footing of perfect equality for the two countries. With regard to despatches arriving at the same moment, the order of precedence in their transmission is to be alternate. The same rules to apply to private despatches, English and French.

IV. Despatches, whether official or private, are to be paid for according to a scale to be determined upon by common agreement. The receipts to be divided equally between the two Governments. A system of optional prepayment to be organized.

V. If at any time after the construction of the line, one of the two Governments desires that more wires should be established, they are to be laid down and worked by the French Government, under the conditions fixed by the preceding Articles.

The English Government may have an agent attached to the administration of the line, to superintend the execution of the present agreement, in regard to all that concerns British interests.

VI. The accounts between the two Governments, arising on the one hand from the expense of superintending and working the line, and, on the other, from the receipts for despatches and messages, shall be made up at the end of each year; and after they have been examined and settled, the balance which may be due by either party shall be forthwith paid to the other.

VII. The present Convention shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the seal of their arms.

Done at London, the 1st day of February, in the year of our Lord 1855.

(L.S.) CLARENDON.

(L.S.) A. WALEWSKI.

LOI de France, relative à la Garantie d'un Emprunt qui sera contracté par le Gouvernement Ottoman, en vertu de la Convention avec la France et la Grande Bretagne, du 27 Juin, 1855.\* Paris, le 17 Juillet, 1855.

NAPOLEON, par la grâce de Dieu et la volonté nationale, Empereur des Français, à tous présents et à venir, salut.

Avons sanctionné et sanctionnons, promulgué et promulguons ce qui suit :

LOI.—*Extrait du procès-verbal du Corps Législatif.*

Le Corps Législatif a adopté le projet de loi dont la teneur suit :

ARTICLE UNIQUE. Le Ministre des Finances est autorisé à garantir, au nom du trésor de France, et aux conditions stipulées dans la Convention conclue, le 27 Juin, 1855, entre Sa Majesté l'Empereur et Sa Majesté Britannique, d'une part, et de l'autre, Sa Majesté le Sultan, l'emprunt de 5,000,000 de livres sterling qui sera contracté par le Gouvernement Ottoman.

Délibéré en séance publique, à Paris, le 11 Juillet, 1855.

*Le Président :*

CTE. DE MORNY.

*Extrait du procès-verbal du Sénat.*

Le Sénat ne s'oppose pas à la promulgation de la loi relative à la garantie de l'emprunt à contracter par la Porte.

Délibéré en séance au Palais du Sénat, le 14 Juillet, 1855.

*Le Président :*

TROPLONG.

Mandons et ordonnons que les présentes, revêtues du sceau de l'Etat et insérées au Bulletin des lois, soient adressées aux cours, aux tribunaux et aux autorités administratives, pour qu'ils les inscrivent sur leurs registres, les observent et les fassent observer, et Notre Ministre Secrétaire d'Etat au Département de la Justice est chargé d'en surveiller la publication.

Fait au Palais des Tuileries, le 17 Juillet, 1855.

Par l'Empereur :

NAPOLEON.

*Le Ministre d'Etat, ACHILLE FOULD.*

\* See Vol. 10. Page 528.



DETAILED REGULATIONS arranged between the Post Office of Great Britain and the Post Office of France, for the execution of the Postal Convention of 24th September, 1856.\* Signed in the English and French Languages, at Paris, October 27. London, November 12. 1856.

THE Postmaster-General of the United Kingdom of Great Britain and Ireland on the one part,

And the Director-General of the French Post Office on the other part,

With reference to Articles XXXI and XXXVI of the Postal Convention concluded between Great Britain and France the 24th September, 1856;

Have agreed as follows:

ART. I. The exchange of correspondence between the Post Office of France and the Post Office of Great Britain shall be effected as follows:

*On the part of the Post Office of France.*

*On the Channel.*

1. By the travelling office from Paris to Calais.
2. By the office at Boulogne-sur-Mer.
3. By the office at Calais.
4. By the office at Cherbourg.
5. By the office at Dieppe.
6. By the office at Dunkirk.
7. By the office at Granville.
8. By the office at Hâvre.
9. By the office at Morlaix.
10. By the office at St. Malo.
11. By the office at Marseilles.

*On the Mediterranean.*

1. By the travelling office from Lyons to Marseilles.
2. By the office at Marseilles.
3. By the French office established at Alexandria.
4. By the French office established at Constantinople.
5. By the French office established at the Dardanelles.
6. By the French office established at Smyrna.
7. By the Post Office agents on board the French mail packets touching at Malta.

*On the part of the Post Office of Great Britain.*

*On the Channel.*

1. By the office at London.
2. By the office at Dover.
3. By the office at Folkestone.

\* See Vol. 10. Page 108.

4. By the office at Guernsey.
5. By the office at Jersey.
6. By the office at Southampton.

*On the Mediterranean.*

1. By the office at Malta.
2. By the British office established at Alexandria.

II. The relations between the French Offices of Exchange and the Post Office agents on board the French mail packets in the Mediterranean, on the one part, and the British Offices of Exchange on the other part, shall be established in the following manner, namely :

*On the Channel.*

1. The travelling office from Paris to Calais shall correspond with the offices of London and Dover by means of the two lines of mail packets established between Calais and Dover in accordance with Article I of the Convention of 24th September, 1856.

2. The office at Boulogne-sur-Mer shall correspond with the offices at London and Dover by means of the two lines of mail packets above mentioned. It shall further correspond with the office at London by means of the private steamers plying between Boulogne-sur-Mer and London; with the office at Dover by means of the private steamers plying between Boulogne-sur-Mer and Dover; and with the office at Folkestone by means of the private steamers plying between Boulogne-sur-Mer and Folkestone.

3. The office at Calais shall correspond with the offices at London and Dover by means of the mail packets established between Calais and Dover, in accordance with Article I of the Convention of 24th September, 1856. It shall further correspond with the office at London by means of the private steamers plying between Calais and London, and with the office at Dover by means of the private steamers plying between Calais and Dover.

4. The office at Cherbourg shall correspond with the offices at Guernsey and Jersey by means of the private ships plying between Cherbourg and the islands of Guernsey and Jersey.

5. The office at Dieppe shall correspond with the office at London by means of the private steamers plying between Dieppe and Newhaven.

6. The office at Dunkirk shall correspond with the office at London by means of the private steamers plying between Dunkirk and London.

7. The office at Granville shall correspond with the offices at Guernsey and Jersey by means of the private ships plying between Granville and the islands of Guernsey and Jersey.

8. The office at Hâvre shall correspond with the office at London by means of the private steamers plying between Hâvre and London; and with the office at Southampton by means of the private steamers plying between Hâvre and Southampton.

9. The office at Morlaix shall correspond with the office at Southampton by means of the private steamers plying between Morlaix and Southampton.

10. The office at St. Malo shall correspond with the offices at Guernsey and Jersey by means of the private ships plying between St. Malo and the islands of Guernsey and Jersey.

11. The office at Marseilles shall despatch mails to the office at Dover by means of the services employed for the conveyance between Marseilles and Dover of the mails from India to Great Britain, but without reciprocity on the part of the Dover office.

*On the Mediterranean.*

1. The travelling office from Lyons to Marseilles shall correspond with the office at Malta by means both of the French mail packets and of the British mail packets plying between Marseilles and Malta; and with the British Office at Alexandria by means of the British mail packets plying between Marseilles and Alexandria.

2. The office at Marseilles shall correspond with the office at Malta by means both of the French mail packets and of the British mail packets plying between Marseilles and Malta, and with the British Office at Alexandria by means of the British mail packets plying between Marseilles and Alexandria.

3. The French office established at Alexandria shall correspond with the British office established in the same city; it shall correspond also with the office at Malta by means of the French mail packets plying in the Mediterranean.

4. The French office established at Constantinople shall correspond with the office at Malta by means of the French mail packets.

5. The French office established at the Dardanelles shall correspond with the office at Malta by means of the French mail packets.

6. The French office established at Smyrna shall correspond with the office at Malta by means of the French mail packets.

7. The Post Office agents on board the French mail packets touching at Malta shall correspond with the office at Malta.

III. The mails from the travelling office from Paris to Calais for the office at London shall comprise the correspondence of every kind originating either in France (Boulogne-sur-Mer, Bourbourg, Calais, Dèsvres, Gravelines, Guines-en-Calais, Marquise, Samer, and St. Pierre les Calais excepted), or in the countries the correspondence of which is transmitted through

France addressed to the countries enumerated in Table A annexed to the present regulations.

Reciprocally, the mails from the office at London for the travelling office from Calais to Paris shall comprise the correspondence of every kind originating in the countries enumerated in Table A above mentioned addressed either to France (Boulogne-sur-Mer, Bourbourg, Calais, Dèsvres, Gravelines, Guines-en-Calais, Marquise, Samer, and St. Pierre les Calais, excepted), or to the countries the correspondence of which is transmitted through France.

IV. The mails from the travelling office from Paris to Calais for the office at Dover shall comprise the correspondence of every kind originating either in France (Boulogne-sur-Mer, Bourbourg, Calais, Dèsvres, Gravelines, Guines-en-Calais, Marquise, Samer, and St. Pierre les Calais excepted), or in the countries the correspondence of which is transmitted through France addressed to the towns in England enumerated in Table B annexed to the present regulations.

Reciprocally, the mails from the office at Dover for the travelling office from Calais to Paris shall comprise the correspondence of every kind originating in the towns in England enumerated in Table B, annexed to the present regulations, addressed either to France (Boulogne-sur-Mer, Bourbourg, Calais, Dèsvres, Gravelines, Guines-en-Calais, Marquise, Samer, and St. Pierre les Calais excepted,) or to the countries the correspondence of which is transmitted through France.

V. The mails which the office at Boulogne-sur-Mer shall forward to the office at London by means of the mail packets leaving Calais for Dover shall comprise the correspondence of every kind dispatched from Boulogne-sur-Mer addressed to the countries enumerated in Table A annexed to the present regulations.

Reciprocally, the mails which the office at London shall forward to the office at Boulogne-sur-Mer by means of the mail packets leaving Dover for Calais shall comprise the correspondence of every kind dispatched from the countries enumerated in Table A, annexed to the present regulations, addressed to Boulogne-sur-Mer.

VI. The mails which the office at Boulogne-sur-Mer shall forward to the office at Dover by means of the mail packets leaving Calais for Dover shall comprise the correspondence of every kind dispatched from Boulogne-sur-Mer addressed to the towns in England enumerated in Table B annexed to the present regulations.

Reciprocally, the mails which the office at Dover shall forward to the office at Boulogne-sur-Mer by means of the mail packets leaving Dover for Calais shall comprise the correspon-



dence of every kind dispatched from the towns enumerated in Table B annexed to the present regulations, addressed to Boulogne-sur-Mer.

VII. The mails which the office at Calais shall forward to the office at London by means of the mail packets leaving Calais for Dover shall comprise the correspondence of every kind dispatched from Calais, Bourbourg, Dèsvres, Gravelines, Guines-en-Calais, Marquise, Samer, and St. Pierre les Calais, addressed to the countries enumerated in Table A, annexed to the present regulations.

Reciprocally, the mails which the office at London shall forward to the office at Calais by means of the mail packets leaving Dover for Calais, shall comprise the correspondence of every kind dispatched from the countries enumerated in Table A, annexed to the present regulations, addressed to Calais, Bourbourg, Dèsvres, Gravelines, Guines-en-Calais, Marquise, Samer, and St. Pierre les Calais.

VIII. The mails which the office at Calais shall forward to the office at Dover by means of the mail packets leaving Calais for Dover shall comprise the correspondence of every kind dispatched from Calais, Bourbourg, Dèsvres, Gravelines, Guines-en-Calais, Marquise, Samer, and St. Pierre les Calais, addressed to the towns in England enumerated in Table B, annexed to the present regulations.

Reciprocally, the mails which the office at Dover shall forward to the office at Calais by means of the mail packets leaving Dover for Calais shall comprise the correspondence of every kind dispatched from the towns enumerated in Table B, annexed to the present regulations addressed to Calais, Bourbourg, Dèsvres, Gravelines, Guines-en-Calais, Marquise, Samer, and St. Pierre les Calais.

IX. The mails which are exchanged, in virtue of Article II of the Convention of 24th September, 1856, and of Article II of the present regulations, by means of private ships, between the office at Boulogne and the offices at London, Dover, and Folkestone, between the office at Calais and the offices at London and Dover, between the office at Dieppe and the office at London, between the offices at Cherbourg, Granville, and St. Malo, and the offices at Guernsey and Jersey, between the office at Hâvre and the offices at London and Southampton, and lastly, between the office at Morlaix and the office at Southampton, shall only comprise the correspondence which the senders shall expressly desire to forward by means of those vessels.

X. The mails from the office at Marseilles for the office at Dover shall comprise the paid letters which the persons authorized to that effect by the two Post Offices of France and Great Britain may desire to send by the Indian mail service to

the editors or agents of the English newspapers hereafter mentioned, viz.:

1. The Morning Advertiser.
2. The Morning Chronicle.
3. The Morning Herald.
4. The Morning Post.
5. The Public Ledger.
6. The Times.
7. The Commercial Daily List.
8. The Daily News.

XI. The correspondence of every kind exchanged between the Post Office of France and the British Post Office by means of the French or British mail packets plying in the Mediterranean, shall be forwarded according to Table C annexed to the present regulations.

XII. In order to afford to the inhabitants of the ports of the two countries, every facility for the dispatch of letters by merchant-vessels plying between France and Great Britain, a movable letter-box, provided with a lock, may, with the previous consent of the two offices, be placed on board each of these vessels, to receive such letters as the public may wish to deposit in it.

On the arrival of the vessel, the movable box shall be carried to the postmaster, who shall open it, and take out the letters, and then return the box to the agent who brought it.

XIII. The regulations fixed by Article IV of the Convention of 24th September, 1856, for the payment for the conveyance of letters comprised in the mails exchanged between the Post Office of France and the Post Office of Great Britain by means of merchant-vessels, shall be applicable to the payment for the conveyance of letters taken out of the movable boxes described in the preceding Article.

XIV. The particulars of the account arising out of the transmission of the letters to which the provisions of the preceding Articles XII and XIII apply, shall be annexed as follows:

1. To the accounts opened between the Post Office of the port of disembarkation and the Post Office of the port of dispatch, if there exists an exchange of mails between those two offices.

2. And to the accounts of the office at Calais with the office at London, if the Post Office of the port of disembarkation is not itself an office of exchange in communication with the corresponding office.

In this last case a declaration of the number and weight of letters found in the movable box shall be made out, in duplicate, by the postmaster who shall have opened the box. The two copies shall be forwarded to the proper office of

exchange, which shall transmit one copy to the corresponding foreign office of exchange, after having affixed its visâ to it, and shall annex the other copy, as a voucher, to the separate account in which the particulars proved by this declaration should be entered.

XV. The declarations which the postmasters at the ports of the two countries will have to furnish, in accordance with Article XIV preceding, shall be made out as follows :

1. By the postmasters of the French Offices on a form similar to pattern D, annexed to the present regulations.

2. And by the postmasters of the British Offices on a form similar to pattern E, also annexed to the present regulations.

XVI. The letters dispatched either from France and Algeria to Great Britain, or from Great Britain to France and Algeria, may be prepaid by the senders, by means of postage stamps in use in the country from which they are sent.

XVII. When the postage stamps affixed to a letter shall represent a sum less than that required for its prepayment at the rate of 40 centimes, or 4*d.* per  $7\frac{1}{2}$  grammes or fraction of  $7\frac{1}{2}$  grammes, such letter shall be considered as unpaid, and charged as such, after deducting the value of those stamps.

Nevertheless, when in the sum represented by the postage stamps affixed to a letter there shall be a fraction of a decime or of a penny, no notice shall be taken of such fraction.

XVIII. The amount of the sums paid as well by the senders of letters insufficiently prepaid by means of postage stamps as by the persons to whom those letters are addressed, shall be divided between the Post Office of France and the Post Office of Great Britain, conformably to Table F annexed to the present regulations.

XIX. Ordinary letters dispatched in ordinary mails by way of France, either from the foreign countries enumerated in Table G annexed to the present regulations, to the United Kingdom of Great Britain and Ireland, or from the United Kingdom of Great Britain and Ireland to those same foreign countries, shall be exchanged between the Post Office of France and the Post Office of Great Britain on the conditions set forth in the said Table.

XX. Ordinary letters dispatched in ordinary mails by way of France, either from the foreign countries enumerated in Table H annexed to the present regulations to the Island of Malta or from the island of Malta to those same foreign countries, shall be exchanged between the Post Office of France and the Post Office of Great Britain on the conditions set forth in the said Table.

XXI. Letters dispatched in ordinary mails through the British Post Office, either from the countries enumerated in Table I annexed to the present regulations to France and Algeria, or from France and Algeria to those same countries,

shall be exchanged between the Post Office of France and the Post Office of Great Britain on the conditions set forth in the said Table.

XXII. The Post Office of France may deliver to the British Post Office registered letters addressed to the United Kingdom of Great Britain and Ireland, the Island of Malta, Canada, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland, and Jamaica.

On its side, the British Post Office may deliver to the Post Office of France registered letters addressed as well to France, Algeria, and the places in the Mediterranean where France maintains Post Offices, as to the foreign countries for which the inhabitants of Great Britain shall have the right of forwarding by way of France ordinary letters paid to destination.

XXIII. Newspapers and other printed papers dispatched in ordinary mails by way of France from the United Kingdom of Great Britain and Ireland to the foreign countries enumerated in Table J annexed to the present regulations, or from those same foreign countries to the United Kingdom of Great Britain and Ireland, shall be exchanged between the Post Office of France and the British Post Office on the conditions set forth in the said Table.

It is, nevertheless, understood that the Post Office of France shall have the right to deliver to the British Post Office, as paid to destination, newspapers and other printed papers which shall be forwarded from the countries enumerated in Table J above mentioned for the United Kingdom.

The rate to be paid by the Post Office of France to the British Post Office for such newspapers and other printed papers shall be the same as for printed papers originating in France.

XXIV. Newspapers and other printed papers dispatched in ordinary mails by way of France, either from the foreign countries enumerated in Table K annexed to the present regulations to the Island of Malta, or from the Island of Malta to those same foreign countries, shall be exchanged between the Post Office of France and the British Post Office on the conditions set forth in the said Table.

XXV. Newspapers and other printed papers dispatched in ordinary mails through the British Post Office, either from France, Algeria, Alexandria, Jaffa, Beyrout, Tripoli in Syria, Lattakia, Alexandretta, Mersina, Rhodes, Smyrna, Mitylene, the Dardanelles, Gallipoli, Constantinople, Greece, Italy, Switzerland, the several States of Germany, Belgium, the Netherlands, Denmark, the United Kingdoms of Sweden and Norway, Russia, Poland, the Danubian Provinces, and Turkey in Europe, to the English Colonies and other countries beyond sea enumerated in Table L annexed to the present regulations, or from those same colonies and countries beyond sea to France, Algeria, and those



countries mentioned above the correspondence of which is transmitted through France, shall be exchanged between the British Post Office and the Post Office of France on the conditions set forth in the said Table.

It is, nevertheless, understood that the Post Office of Great Britain shall have the right to deliver to the Post Office of France, as paid to destination, newspapers and other printed papers which shall be forwarded from the colonies and other countries beyond sea enumerated in Table L above mentioned for France and Algeria. The rate to be paid by the British Post Office to the Post Office of France for such newspapers and other printed papers shall be the same as for printed papers originating in the United Kingdom.

XXVI. To enjoy the reduced rates of postage allowed by Articles XXIII, XXIV, and XXV, preceding, the printed papers mentioned in the said Articles must be prepaid to the limits fixed by those Articles, must be sent in bands, and must not contain any writing, figure, or manual work whatsoever. Printed papers which are not in conformity with these conditions shall be treated as letters, and charged accordingly.

The two offices mutually engage to do all in their power to secure that the newspapers and other printed papers above mentioned may be prepaid to destination by the senders.

XXVII. In the event of the Conventions which govern the relations of France with the foreign countries enumerated in Tables G, H, J, and K annexed to the present regulations being hereafter modified in such a manner as to affect the conditions of exchange fixed by those Tables for the correspondence transmitted in ordinary mails by way of France, those modifications shall be applied as a matter of right to the said correspondence upon the necessary proof being furnished by the Post Office of France to the Post Office of Great Britain.

XXVIII. When the writers of the letters which the Office of France and the British Office deliver to each other to be forwarded to the colonies and other countries beyond sea shall wish that those letters should be conveyed by merchant ships leaving the ports of one of the two countries, such intention must be so expressed on the address.

In all cases where such direction is not given, letters for the colonies and other countries beyond sea shall be transmitted by means of the regular packets.

XXIX. Registered letters reciprocally transmitted in virtue of Article XVII of the Convention of 24th September, 1856, shall be marked on the side of the address with a stamp bearing in red ink the word "Chargé" or "Registered."

XXX. The correspondence of every kind originating in either of the two countries which shall be comprised in the respective mails of the French and British Offices of Exchange

shall be marked by the office where it originated with a stamp indicating the date of posting.

XXXI. Letters found in the movable boxes on board merchant vessels plying between France and Great Britain shall be marked on the side of the address by the postmaster at the port of disembarkation with an octagon date stamp bearing in red ink, independently of the name of that office :

1. The characters *Angl. B. M.* (*Angleterre, Bôîtes Mobiles*), when the letters have originated in Great Britain.

2. And the characters *France, M. B.* (*France, Moveable Box*), when the letters have originated in France.

XXXII. Ordinary unpaid letters (with the exception of those originating in France and Algeria, in the French Post Offices established in the Levant and in Great Britain, and those forwarded from Malta for France, Algeria, and the French offices established in the Levant), and printed papers of every kind, charged with transit or sea rates, which shall be exchanged in ordinary mails between the Post Office of France and the Post Office of Great Britain, shall receive, in some conspicuous part of the address, the impression in black ink of a stamp intended to show the rate at which the despatching office shall have delivered those letters and printed papers to the other office.

The Post Office of France shall apply, namely :

1. The stamp  
Office at the rate



for letters delivered to the British  
Office of 1 franc per ounce.

2. The stamp  
British Office at  
per ounce.



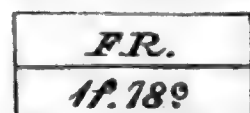
for letters delivered to the  
the rate of 1 franc 45 centimes

3. The stamp  
British Office at  
per ounce.



for letters delivered to the  
rate of 1 franc 76 centimes

4. The stamp  
British Office at  
times per ounce.



for letters delivered to the  
the rate of 1 franc 78 cen-

5. The stamp  
British Office at  
per ounce.



for letters delivered to the  
the rate of 2 francs 16 centimes

6. The stamp  
British Office at  
per ounce.



for letters delivered to the  
the rate of 2 francs 55 centimes

7. The stamp  
Office at the rate



for letters delivered to the British  
of 2 francs 96 centimes per ounce.

8. The stamp  
British Office at  
times per ounce.



for letters delivered to the  
the rate of 3 francs 41 cen-

9. The stamp  
British Office at  
times per ounce.



for letters delivered to the  
the rate of 3 francs 76 cen-

10. The stamp  
British Office at  
times per ounce.



for letters delivered to the  
the rate of 5 francs 36 cen-

11. The stamp  
British Office at  
times per ounce.



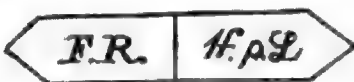
for letters delivered to the  
the rate of 5 francs 81 cen-

12. The stamp  
every kind deli-  
Office at the rate  
pound British.



for printed papers of  
vered to the British  
of 50 centimes per

13. The stamp  
every kind deli-  
Office at the rate  
British.



for printed papers of  
vered to the British  
of 1 franc per pound

14. The stamp  
every kind deli-  
Office at the rate  
per pound British.



for printed papers of  
vered to the British  
of 1 franc 50 centimes

On its side the Post Office of Great Britain shall apply,  
namely :

1. The stamp  
France at the rate



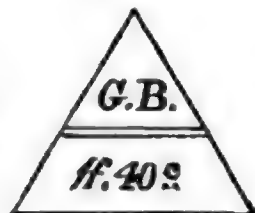
for letters delivered to the office of  
of 40 centimes per 30 grammes.

2. The stamp  
of France at the



for letters delivered to the office  
rate of 1 franc per 30 grammes.

3. The stamp  
office of France at  
times per 30 gram-



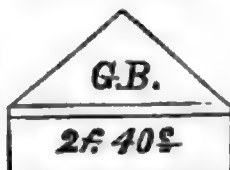
for letters delivered to the  
the rate of 1 franc 40 cen-  
mes.

4. The stamp  
office of France at  
per 30 grammes.



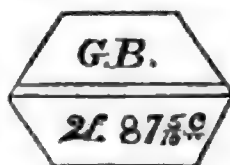
for letters delivered to the  
the rate of 1 franc 60 centimes

5. The stamp  
of France at the  
30 grammes.



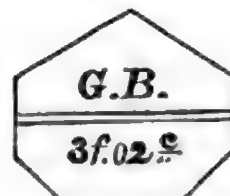
for letters delivered to the office  
rate of 2 francs 40 centimes per

6. The stamp  
of France at the  
per 30 grammes.



for letters delivered to the office  
rate of 2 francs 87  $\frac{5}{8}$  centimes

7. The stamp  
of France at the  
30 grammes.



for letters delivered to the office  
rate of 3 francs 2 centimes per

8. The stamp  
every kind deli-  
France at the rate  
gramme.



for printed papers of  
vered to the office of  
of 1 franc per kilo-

9. The stamp  
every kind deli-  
France at the  
kilogramme.



for printed papers of  
vered to the office of  
rate of 2 francs per

10. And the stamp  
pers of every kind de-  
office of France at the  
40 centimes per kilogramme.



for printed pa-  
livered to the  
rate of 4 francs

XXXIII. The respective offices of exchange shall mark in ordinary figures on the left side of the address of letters insufficiently prepaid, which they forward to the corresponding offices of exchange, the amount of the surcharges which the



persons to whom the said letters are addressed will have to pay in virtue of Article XVII of the present regulations.

Those surcharges shall be marked in pence or decimes.

XXXIV. Ordinary letters, registered letters, and printed papers of every kind exchanged between the two Post Offices of France and Great Britain which shall have been paid to destination or for some part of the distance beyond the territory of the dispatching office, shall be marked in a conspicuous part of the address with an impression in red ink of a stamp intended to denote to the respective offices of exchange the extent of prepayment.

The stamp P.D. shall be impressed on ordinary or registered letters as well as on printed papers which shall be prepaid to destination.

The stamp P.P. shall be impressed on ordinary letters as well as on printed papers which shall be prepaid for some part of the distance beyond the territory of the dispatching office.

XXXV. Each of the mails exchanged between the Post Offices of the two countries, either periodically or at irregular intervals, shall be accompanied by a letter bill on which those offices shall state, under the classifications established by the Convention of 24th September, 1856, the nature, the number, and the weight of the articles which the mail contains. The office to which the mail shall be forwarded shall acknowledge its receipt to the dispatching office by return of post.

The letter bills and acknowledgments of receipt from the travelling offices from Paris to Calais for the offices at London and Dover, from the office at Boulogne for the office at London, from the office at Calais for the offices at London and Dover, from the office at Dieppe for the office at London, from the office at Dunkirk for the office at London, from the office at Havre for the offices at London and Southampton, and from the office at Morlaix for the office at Southampton, shall be according to the patterns M. No. 1, and M. No. 2, annexed to the present regulations.

The letter bills and acknowledgments of receipt from the office at Boulogne for the offices at Dover and Folkstone, from the offices at Cherbourg, Granville, and St. Malo for the offices at Guernsey and Jersey, and from the office at Marseilles for the office at Dover, shall be according to the pattern N.

The letter bills and acknowledgments of receipt from the travelling office from Lyons to Marseilles, and from the office at Marseilles for the office at Malta, shall be according to pattern O.

The letter bills and acknowledgments of receipt from the travelling office from Lyons to Marseilles, from the office at Marseilles, and from the French office established at Alexandria for the British office at Alexandria, shall be according to pattern P.

The letter bills and acknowledgments of receipt from the French offices established at Alexandria, Constantinople, the Dardanelles, and Smyrna for the office at Malta shall be according to pattern Q.

The letter bills and acknowledgments of receipt of the Post Office agents on board the packets in the Mediterranean for the office at Malta shall be according to pattern R.

The forms of letter bills and acknowledgments of receipt which the British offices of exchange shall use in their communications with the French offices of exchange shall agree with the patterns above described.

XXXVI. Registered letters exchanged between the two offices in virtue of Article XVII of the Convention of 24th September, 1856, shall be entered in the letter bills of the respective offices of exchange according to their real weight, but the office to which the said letters are forwarded shall receive credit for double that weight in the monthly accounts which will give the results of the mutual exchange of correspondence.

XXXVII. The respective offices of exchange shall divide the correspondence which they shall mutually exchange, into as many distinct packets as there are different rates or special articles in the letter bills.

To each packet shall be attached a label showing the number of the article in the account as well as the net weight of the matter covered by this label.

XXXVIII. The labels which the respective offices of exchange shall make use of, in virtue of the provisions of the preceding Article, shall be printed as follows:

1. On blue paper for paid correspondence.
2. On yellow paper for correspondence either unpaid or charged with transit postage.
3. And on white paper for matter giving rise to no account.

XXXIX. The correspondence returned either in consequence of misdirection or of change of residence of the persons to whom the letters are addressed shall be entered nominally in the tables of the letter bills specially appropriated for the entry of such correspondence.

Misdirected correspondence shall be tied up with a cross-string, and shall have a label attached bearing these words "misdirected letters."

Correspondence re-directed to persons who have gone away, but have left their address, shall be also tied with a cross string, and shall have a label attached bearing these words, "Redirected, owing to change of residence."

XL. Letters insufficiently prepaid by means of postage stamps, and liable to a surcharge, in virtue of Article XVII of the present regulations, shall be entered in Table No. 6 of the

Letter Bill M. No. 1, or in Table No. 5 of the letter bill N., as the case may be, with all the details required by that Table.

These letters shall be tied up with a cross string, and shall have a label attached bearing these words "Letters insufficiently prepaid."

XLI. Registered letters shall be entered nominally in the table of the letter bill headed "Registered letters and packets."

These letters shall be tied up with a cross string, the ends of which shall be made fast to the letter bill by means of a seal with an impression in wax.

XLII. In conformity with Article XXIII of the Convention of 24th September, 1856, the Post Office of France shall pay to the British Post Office for the transit rate across the territory of the East India Company of the letters comprised in the closed mails exchanged between France and the French Establishments in India, by way of the Isthmus of Suez, the sum of 60 centimes per 30 grammes of letters, net weight.

XLIII. In execution of Article XXIII of the Convention of 24th September, 1856, the Post Office of France shall pay to the Post Office of Great Britain the following rates on account of the passage by the Isthmus of Darien or by the Isthmus of Suez of the correspondence comprised in the closed mails which the said Post Office of France shall forward or receive by means of the British mail packets, and by way of either Isthmus, when the conveyance of those mails across the Isthmus of Suez or across the Isthmus of Darien shall be effected at the cost of the British Post Office :

1. For letters comprised in the closed mails transmitted by way of the Isthmus of Darien, the sum of 1 franc 27 centimes and five-tenths of a centime per 30 grammes of letters, net weight.

2. For printed papers of every kind comprised in the same mails, the sum of 2 francs 40 centimes per kilogramme of printed papers, net weight.

3. For letters and printed papers of every kind comprised in the closed mails transmitted by way of the Isthmus of Suez, the sum of 80 centimes per kilogramme of letters or printed papers, net weight.

XLIV. The particulars of the transmission of the closed mails which each of the two offices shall forward on account of the other, in execution of Articles XX to XXVIII of the Convention of 24th September, 1856, shall be certified by the proper offices of exchange in the manner shown in the following Table :

Origin of the Closed Mails.	Destination of the Closed Mails.	Forms on which should be certified the particulars of the transmission of the Closed Mails.
Travelling office from Paris to Calais ... ..	French Colonies via England United States ... .. Consul General of France at Lima ... .. Commander-in-Chief of the French Station on the West Coast of America	Letter bills from the travelling office from Paris to Calais for the office at London, and acknowledgments of receipt from the office at London for the said travelling office.
British Possessions in the Mediterranean or India (by the Indian mail service)... ..	Office at London ...	
States of the Continent ...		Letter bills from the office at Malta for the travelling office from Marseilles to Lyons, and acknowledgments of receipt from the said travelling office for the office at Malta.
British possessions in the Mediterranean (by the French mail packets)	Office at London ...	Letter bills from the travelling office from Paris to Calais for the office at London, and acknowledgments of receipt from the office at London for the said travelling office.
States of the Continent ...	Dover ... ..	Letter bills from the travelling office from Paris to Calais for the office at Dover, and acknowledgments of receipt from the office at Dover for the said travelling office.
Office at Calais ... ..	United States ... ..	Letter bills from the office at Calais for the office at Dover, and acknowledgments of receipt from the office at Dover for the office at Calais.
Office at Havre... ..	United States ... ..	Letter bills from the office at Havre for the office at Southampton, and acknowledgments of receipt from the office at Southampton for the office at Havre.
Travelling office from Lyons to Marseilles ... ..	French office at Alexandria French Colonies via Suez Places in the Indian or China Ocean... ..	Letter Bills from the travelling office from Lyons to Marseilles for the British office at Alexandria, and acknowledgments of receipt from the British office at Alexandria for the said travelling office.
Office at Marseilles ... ..	French office at Alexandria French colonies via Suez ... Places in the Indian or China Ocean ... ..	Letter bills from the office at Marseilles for the British office at Alexandria, and acknowledgments of receipt from the British office at Alexandria for the office at Marseilles.
Italy and Kingdom of Greece...	Office at Malta ... ..	Letter bills from the Post office agents on board the French mail packets for the office at Malta, and acknowledgments of receipt from the office at Malta for the said agents.
Office at London ... ..	British possessions in the Mediterranean or India (by the Indian mail service) ... .. States of the continent ...	Letter bills from the office at London for the travelling office from Calais to Paris, and acknowledgments of receipt from the said travelling office for the office at London.
Office at London ... ..	British possessions in the Mediterranean by the French packets... ..	Letter bills from the office at London for the travelling office from Calais to Paris, and acknowledgments of receipt from the said travelling office for the office at London.
Office at Dover ... ..	States of the Continent ...	Letter bills from the travelling office from Marseilles to Lyons for the office at Malta, and acknowledgments of receipt from the office at Malta for the said travelling office.
		Letter bills from the office at Dover for the travelling office from Paris to Calais, and acknowledgments of receipt from the said travelling office for the office at Dover.
French colonies via England United States ... ..	Travelling office from Calais to Paris ... ..	Letter bills from the office at London for the travelling office from Calais to Paris, and acknowledgments of receipt from the said travelling office for the office at London.



Origin of the Closed Mails.	Destination of the Closed Mails.	Forms on which should be certified the particulars of the transmission of the Closed Mails.
United States ... ..	Office at Calais ... ..	Letter bills from the office at London for the office at Calais, and acknowledgments of receipt from the office at Calais for the office at London.
United States ... ..	Office at Havre ... ..	Letter bills from the office at Southampton for the office at Havre, and acknowledgments of receipt from the office at Havre for the office at Southampton.
French office at Alexandria... French colonies via Suez ... Places in the Indian or China Ocean ... ..	Travelling office from Mar- seilles to Lyons ... ..	Letter bills from the British office at Alexandria for the travelling office from Marseilles to Lyons, and acknowledgments of receipt from the said travelling office for the British office at Alexandria.
French office at Alexandria... French colonies via Suez ... Places in the Indian or China Ocean ... ..	Office at Marseilles ... ..	Letter bills from the British office at Alexandria for the office at Marseilles, and acknowledgments of receipt from the office at Marseilles for the British office at Alexandria.
Office at Malta ... ..	Italy and Kingdom of Greece ... ..	Letter bills from the office at Malta, for the Post Office agents on board the French packets, and acknowledgments of receipt from the said agents for the office at Malta.

XLV. The letter bill should bear at the top the stamp "chargé" or "registered" whenever the mail shall contain one or more registered letters.

XLVI. If it should happen on the usual days and hours for making up the mails that an office of exchange has not any letter to forward to the corresponding office, the dispatching office shall nevertheless send, in the ordinary way, a mail which shall contain a blank letter bill.

XLVII. The postage of dead letters, which are to be mutually returned by the two offices, in virtue of Article XXXIV of the Convention of 24th September, 1856, shall be allowed in discharge of the account of the office to which the said letters have been originally transmitted only when the state of their seals shall not lead to the supposition that they have been read by the persons to whom they are addressed.

Nevertheless, letters forwarded for the purpose of annoying or injuring the parties to whom they are addressed, may be included and admitted with the dead letters mutually returned even after they have been opened.

XLVIII. Letters not applied for, addressed "poste restante" or to hotels, may, after lying 3 months, be returned on either side, in the manner and under the conditions prescribed by Article XXXIV of the Convention of 24th September, 1856, and by Article XLVII preceding.

XLIX. The French Post Office shall every month prepare separate accounts exhibiting the results of the transmission between the respective offices of exchange of the correspondence mutually exchanged, whether in ordinary mails or in closed

mails, transmitted in virtue of Articles XX to XXVIII of the Convention of 24th September, 1856. Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the month.

The results of the transmission of correspondence in ordinary or closed mails between the office of Malta and the Post Office agents on board the French packets in the Mediterranean, shall also be shewn every month in a separate account which shall be prepared by the French Post Office.

L. The separate accounts described in the preceding Article shall be incorporated every month in general accounts shewing the result of the transmission of the correspondence exchanged either in ordinary or closed mails between the Post Office of France and the Post Office of Great Britain.

LI. The general accounts mentioned in the preceding Article shall be compared and settled by the two Offices, and the balance shall be paid in French money at the end of every quarter by that office which shall be found to be indebted to the other.

LII. It is reciprocally agreed that neither the French nor the British territorial rates now chargeable upon letters which each of the two countries forwards or receives by the route of the other, shall on any pretext be increased.

It is also agreed that the foreign rate to be levied on each letter and for each quarter of an ounce, or fraction of a quarter of an ounce, that such letter may weigh in addition to the territorial rate referred to, shall not exceed the 4th part of the rate per ounce, or per 30 grammes, which is fixed by the preceding Articles XIX, XX, and XXI.

Nevertheless, it is understood that when the division of the rate of accounting above mentioned by 4, presents a fraction of a decime as regards the charges to be levied from French subjects, or of 1*d.* as regards the charges to be levied from English subjects, a full decime or 1*d.* may be levied on either side if the fraction amounts to half a decime or a  $\frac{1}{2}$ *d.*, or more; but if the fraction be less than half a decime or less than a  $\frac{1}{2}$ *d.*, it shall not be levied.

LIII. All previous provisions agreed upon between the Post Office of France and the Post Office of Great Britain shall be abrogated from the date of the day on which the Convention of 24th September, 1856, shall be carried into effect.

Done in duplicate and signed in Paris the 27th October, 1856, and in London the 12th November, 1856.

ARGYLE.  
STOURM.

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**DECRET Impérial Français, qui approuve la Convention passée, le 2 Janvier, 1859, pour l'exécution et l'exploitation d'une ligne Télégraphique et Sous-marine entre la France et l'Angleterre.**  
—Paris, le 12 Janvier, 1859.

NAPOLEON, par la grâce de Dieu et la volonté nationale, Empereur des Français à tous présents et à venir, salut :

Sur le rapport de notre Ministre Secrétaire d'Etat au Département de l'Intérieur ;

Vu la convention passée, le 23 Octobre, 1851,\* entre l'administrateur en chef des lignes télégraphiques et l'Honorable William Francis Spencer Ponsonby Lord de Mauley, l'Honorable Frederick William Cadogan, Sir James Robert Carmichael, Baronet, John Watkins Brett, Esquire, approuvée par le Ministre de l'Intérieur ;

Vu le décret du 24 Octobre, 1851 ;†

Notre Conseil d'Etat entendu ;

Avons décrété et décrétons ce qui suit ;

ART. I. Est approuvée la Convention ci-annexée, intervenue le 2 de ce mois, entre le Ministre de l'Intérieur, au nom de l'Etat, et Sir James Robert Carmichael, et M. John Watkins Brett, pour l'exécution et l'exploitation de lignes télégraphiques sous-marines entre la France et l'Angleterre.

II. Notre Ministre Secrétaire d'Etat au Département de l'Intérieur est chargé de l'exécution du présent décret.

Fait au Palais des Tuileries, le 12 Janvier, 1859.

Par l'Empereur :

NAPOLEON.

*Le Ministre Secrétaire d'Etat au Département de l'Intérieur, DELANGLE.*

(ANNEXE.) CONVENTION entre le Ministre de l'Intérieur, agissant au nom de l'Etat, d'une part, et Sir James Robert Carmichael, Baronet, et M. John Watkins Brett, agissant au nom et pour le compte de la Compagnie du Télégraphe sous-marin entre la France et l'Angleterre, en vertu d'une autorisation donnée le 7 Avril, 1858, par le Conseil d'administration de ladite Compagnie, et faisant élection de domicile à Paris, rue de Richelieu, No. 83, d'autre part ; il a été convenu et arrêté ce qui suit :

ART. I. La Compagnie Concessionnaire de la ligne télégraphique sous-marine entre la France et l'Angleterre, représentée par Sir James Carmichael et M. J. W. Brett, est autorisée et s'oblige à établir, dans un délai de 6 mois à partir de ce jour, une ligne sous-marine à 6 fils entre Boulogne et Folkestone.

Cette nouvelle ligne fonctionnera concurremment avec la ligne actuelle.

\* See Page 422.

† See Page 426.

La présente autorisation est accordée pour un laps de temps de 30 années, à dater du jour de l'homologation de la présente Convention, tant pour la ligne déjà existante entre Calais et Douvres que pour celle de Boulogne à Folkestone.

II. Pendant la durée de cette concession, la Compagnie s'oblige à établir, sur la demande du Gouvernement Français, et dans le délai d'une année, à partir du jour de la notification ministérielle :

1. Une ligne dont le nombre de fils sera fixé par le Gouvernement Français, partant du Havre et se dirigeant sur un point quelconque de la côte d'Angleterre à déterminer ultérieurement ;

2. Une ligne dont le nombre de fils sera également fixé par le Gouvernement Français, entre les îles Anglaises de Jersey, Alderney, Sark, et Guernesey, et la côte de France.

Le Gouvernement Français se réserve le droit de déterminer le point de la côte de France où devra aboutir cette dernière ligne. Ce point devra se trouver entre Saint-Malo et Cherbourg.

La Compagnie seule aura le droit de relier la France aux dites îles Anglaises de Jersey, Alderney, Sark, et Guernesey, et autres îles et îlots en dépendant, et s'engage à faire passer par ces nouvelles lignes toutes les dépêches Françaises qui lui seront remises.

Le nombre de zones qui devra servir de base à l'établissement de la taxe, des côtes de France aux îles Anglaises de Jersey, Alderney, Sark, et Guernesey, et aux îles ou îlots en dépendant, est fixé comme suit pour chaque dépêche simple de quinze mots :

1. A deux zones, pour transmission de la correspondance locale entre la côte de France et ces îles et réciproquement.

2. A 3 zones, pour transmission de la correspondance à destination du Royaume-Uni de la Grande-Bretagne et d'Irlande et transitant par ces îles et réciproquement.

Il est bien entendu que, dans aucun cas, la taxe pour la transmission d'une dépêche simple de la côte de la France par cette ligne et à destination d'un bureau télégraphique quelconque du Royaume-Uni de la Grande-Bretagne et d'Irlande, ne pourra être supérieure à celle par la voie de Calais à Douvres.

III. Le Gouvernement Français se réserve le droit :

1. D'autoriser, comme il avisera, l'établissement d'une ligne télégraphique partant d'un point quelconque des côtes de France, et aboutissant directement aux côtes d'Irlande, et destinée exclusivement à la transmission de ou pour l'Amérique par le câble transatlantique.

2. D'autoriser également l'établissement d'une ligne télégraphique partant d'un point quelconque des côtes de France,



et aboutissant aux côtes d'Angleterre et aux îles de la Manche, en dehors des points d'atterrissage ci-dessus désignés.

Toutefois, la Compagnie Concessionnaire du Télégraphe Sous-Marin entre la France et l'Angleterre aura un droit de préférence, dans le cas où elle désirerait construire et exploiter elle-même cette nouvelle ligne à conditions égales.

Pour user de son droit de préférence, la Compagnie Concessionnaire devra faire connaître sa décision dans le délai d'un mois, à partir de la mise en demeure du Gouvernement Français.

IV. La correspondance télégraphique par les lignes de la Compagnie pourra toujours être suspendue par le Gouvernement Français, et ces suspensions ne pourront donner lieu à aucune indemnité. Les transmissions seront toujours soumises aux règles prescrites par l'Article III de la Loi du 29 Décembre, 1850, sur la correspondance télégraphique privée.

V. La ligne que la Compagnie établira entre Boulogne et Folkestone, ainsi que celles qu'elle pourra être autorisée à établir, devront aboutir dans un local occupé par une direction télégraphique de l'Etat, comme celle de Douvres à Calais.

Dans les villes où aboutira une ligne de la Compagnie, les appareils seront exclusivement manœuvrés par des employés de l'Etat nommés par l'administration Française et payés par la Compagnie.

Leur traitement sera celui de leur grade.

Le service de nuit restera de même entièrement à la charge de la Compagnie.

VI. Le nombre des agents employés pour le compte de la Compagnie dans les bureaux Français, sera fixé par l'administration des lignes télégraphiques.

VII. Aux termes de l'Article VI de la Loi du 29 Novembre, 1850, l'administration télégraphique Française ne peut, dans aucun cas, encourir de responsabilité, à raison du service de sa correspondance privée.

VIII. Les dépêches du Gouvernement Français, ou de ses agents à l'étranger, seront transmises gratuitement par toutes les lignes de la Compagnie et par priorité sur les dépêches privées.

La transmission et la remise aux destinataires des autres dépêches devront se faire dans l'ordre de leur dépôt ou de leur réception dans les bureaux télégraphiques, sans acception de personne ou de nationalité.

IX. Le nombre de zones qui devra servir de base à l'établissement de la taxe est fixé, quant à présent, pour toutes les lignes construites ou à construire par la Compagnie Concessionnaire, à 5 zones de 1 franc 50 centimes l'une, ou 7 francs 50 centimes pour une dépêche simple de 15 mots, des côtes de France à un bureau télégraphique quelconque du Royaume-Uni de la Grande-Bretagne et d'Irlande.

Il est néanmoins formellement convenu que, dans aucun cas, une dépêche transmise par la Compagnie des côtes de France en Angleterre ne pourra être assujettie à une taxe supérieure à celle d'une dépêche d'égale longueur transmise dans le Royaume-Uni par les lignes de Belgique et de Hanovre, et par toutes celles qui pourraient appartenir dans la suite à la Compagnie.

X. La Compagnie s'engage à suivre, pour les correspondances échangées sur les lignes, tous les Traités conclus ou à conclure entre la France et les Etats limitrophes, notamment en ce qui concerne le prix de la zone et la longueur des dépêches, la gradation des taxes, la manière de compter les mots, l'ordre de la transmission et le règlement des comptes.

XI. Si la communication du point d'attache sur les côtes de France des lignes de la Compagnie avec les directions de l'Etat se faisait au moyen de lignes sur poteaux, l'administration des lignes télégraphiques aurait le droit de placer deux ou plusieurs fils sur ces poteaux, et le tout sans indemnité.

Dans tous les cas, il est entendu que les communications entre les différents points d'attache de la Compagnie, situés sur la côte de France, ne pourront avoir lieu que par les lignes de l'Etat et l'intermédiaire des fonctionnaires Français.

XII. La Compagnie est autorisée à prendre tels agents qu'elle voudra pour la représenter dans les villes où aboutira un cable électrique. Si un dérangement est signalé, les agents de la Compagnie pourront demander aux directeurs des stations de l'Etat que des expériences soient faites en leur présence pour constater l'état des lignes de la Compagnie.

XIII. Les sommes dues à l'Etat par la Compagnie pour les dépenses mises à sa charge, en vertu de l'Article V de la présente Convention, seront versées annuellement à la caisse du receveur central du Département de la Seine.

XIV. A moins de cas de force majeure dûment constaté, la Compagnie serait déchue de pleine droit si elle ne remplissait pas toutes les clauses de la présente Convention.

Il est bien entendu que, dans ce cas de déchéance, et jusqu'au 1er Juillet, 1862, la concession actuelle de Douvres à Calais continuerait à être régie conformément à la Convention intervenue entre le Gouvernement Français et la Compagnie, le 23 Octobre, 1851.\*

XV. La présente Convention sera mise en vigueur à dater du jour de son homologation, et à partir de la même date la Convention intervenue le 23 Octobre, 1851,† entre l'administration des lignes télégraphiques et MM. de Mauley, Frederick Cadogan, J. R. Carmichael, et J. W. Brett, sera abrogée ainsi que le Décret du 24 Octobre, 1851,† sauf le cas prévu à l'Article précédent.

XVI. Les contestations qui s'élèveraient entre la Compagnie

\* See Page 422. † See Page 426.

Concessionnaire et l'administration au sujet de l'exécution ou de l'interprétation des clauses de la présente Convention, seront jugées administrativement par le Conseil de préfecture du Département de la Seine, sauf recours au Conseil d'Etat.

XVII. La présente Convention devra être approuvée par un Décret de Sa Majesté l'Empereur.

Fait à Paris, le 2 Janvier, 1859.

*Le Ministre de l'Intérieur*, DELANGLE.

J. R. CARMICHAEL.

J. W. BRETT.

ADDITIONAL ARTICLES *to the detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France, for the execution of the Postal Convention of the 24th September, 1856.\*—Signed, in the English and French Languages, at <sup>London, 18th</sup> ~~Paris, 19th~~ May, 1860.*

THE Postmaster-General of the United Kingdom of Great Britain and Ireland, on the one part, and the Director-General of the French Post Office, on the other part:

With reference to Articles XXXI, XXXII, and XXXVI, of the Postal Convention concluded between France and Great Britain the 24th September, 1856;

With reference also to the Detailed Regulations arranged between the French Post Office and the Post Office of Great Britain, for the execution of the said Convention, signed at Paris the 27th October, 1856, and at London the 12th November, 1856;†

Have agreed as follows:

ART. I. There shall be a direct exchange of closed mails by means of British packets and by way of the Isthmus of Suez, between the office of Marseilles and the travelling office from Lyons to Marseilles, on the one part, and the offices of Aden, Bombay, Madras, Calcutta, Point de Galle, Penang, Singapore and Hong Kong, on the other part, as well for ordinary letters, registered letters, and printed papers of all kinds exchanged by the said route between the inhabitants of France and Algeria and the inhabitants of the British possessions in Asia, as for articles of a like nature exchanged between the inhabitants of the foreign countries the correspondence of which is transmitted through France, and the inhabitants of the British possessions before mentioned.

II. The persons who wish to send ordinary letters either from France and Algeria to the British possessions in Asia, or

\* See Vol. 10. Page 103. † See Page 431.

from the British possessions in Asia to France and Algeria, shall have the option of leaving the entire postage of those letters to be paid by the persons to whom they are addressed, or of paying in advance the postage to the place of destination.

The Post Office of France shall pay to the British Post Office as well for paid letters forwarded from France and Algeria addressed to the British possessions in Asia, as for unpaid letters forwarded from the said possessions addressed to France and Algeria, the sum of 1 franc 62 centimes and four-tenths of a centime per 30 grammes of letters, net weight. On its side, the British Post Office shall pay to the Post Office of France for paid letters forwarded from the British possessions in Asia addressed to France and Algeria, the same rate as for paid letters from the British Colonies in America; and for unpaid letters forwarded from France and Algeria addressed to the British possessions in Asia, the same rate as for unpaid letters addressed to the British colonies of America.

III. The ordinary letters coming from or addressed to the foreign countries the correspondence of which is transmitted through France which shall be comprised in the closed mails referred to in Article I preceding, shall be subject to the same conditions with respect to prepayment as the letters exchanged between those same foreign countries and the Island of Malta by way of France.

The Post Office of France shall pay to the Post Office of Great Britain for such of the said letters as shall be fully prepaid by the inhabitants of the foreign countries the correspondence of which is transmitted through France, the same rate as for letters coming from or addressed to France.

As to the rate to be paid by the British Post Office to the Post Office of France, as well for paid letters forwarded from the British Possessions in Asia addressed to the foreign countries, the correspondence of which is transmitted through France, as for unpaid letters or letters charged with a French transit rate forwarded from the said countries, addressed to the British possessions in Asia, it shall be the same as for letters exchanged between those same foreign countries and the Island of Malta by way of France.

IV. The office of Marseilles and the travelling office from Lyons to Marseilles may deliver to the British Exchanging Offices, specified in Article I preceding, registered letters addressed to the British possessions in Asia.

On their side the British Exchanging Offices before mentioned may deliver to the office of Marseilles and to the travelling office from Marseilles to Lyons registered letters addressed as well to France and Algeria as to the foreign countries to which the inhabitants of the British possessions in Asia shall



have the right of forwarding, by way of France, ordinary letters paid to destination.

V. The forms of letter bills and acknowledgments of receipt of which the office of Marseilles and the travelling office from Lyons to Marseilles shall make use in their communications with the offices of Aden, Bombay, Madras, Calcutta, Point de Galle, Penang, Singapore, and Hong Kong, shall be according to the pattern annexed to the present Articles.

The forms of letter bills and acknowledgments of receipt of which the offices of Aden, Bombay, Madras, Calcutta, Point de Galle, Penang, Singapore, and Hong Kong shall make use in their communications with the office of Marseilles and with the travelling office from Marseilles to Lyons, shall agree with the pattern above referred to.

VI. The provisions of the Articles XXIX, XXX, XXXII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XLI, XLV, XLVI, XLVII, LVIII, and XLIX of the Detailed Regulations arranged between the Post Office of France and the British Post Office for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London the 12th November, 1856, are applicable to the correspondence coming from or addressed to the British possessions in Asia.

VII. The present Articles shall be considered as additional to the Detailed Regulations referred to in the preceding Article, and shall be carried into effect on the 1st day of July, 1860.

Done in duplicate and signed at London the 16th day of May, 1860, and at Paris the 19th of the same month.

(L.S.) ARGYLL.

(L.S.) STOURM.

**DECRET IMPERIAL** *Français, qui indique les Marchandises d'origine et de Manufacture Britanniques auxquelles les Droits d'entrée établis par la Convention conclue le 12 Octobre, 1860,\* entre la France et la Grande-Bretagne, sont applicables à partir du 1 Novembre.—Saint Cloud, le 26 Octobre, 1860.*

NAPOLÉON, par la grâce de Dieu et la volonté nationale, Empereur des Français, à tous présents et à venir, salut.

Sur le rapport de notre Ministre Secrétaire d'Etat au Département de l'Agriculture, du Commerce, et des Travaux Publics ;

Vu la Convention conclue, le 12 Octobre présent mois, entre nos Plénipotentiaires et les Plénipotentiaires de Sa Majesté la Reine de la Grande-Bretagne ;

\* See Vol. 11. Page 183.

Vu les ratifications échangées entre les deux Gouvernements le 25 de ce mois ;

Vu notre décret en date de ce jour, portant promulgation de ladite Convention,

Avons décrété et décrétons ce qui suit :

ART. I. Les droits d'entrée établis par la Convention conclue, le 12 Octobre présent mois, entre la France et la Grande-Bretagne seront, à partir du 1er Novembre prochain, applicables aux marchandises d'origine et de manufacture Britanniques dénommées dans le tableau annexé au présent décret.

II. Les dispositions de notre décret du 29 Septembre dernier restent et demeurent en vigueur à l'égard des marchandises reprises dans le Protocole signé le même jour entre les Plénipotentiaires Français et Anglais, et qui sont reproduites en tête de la Convention précitée du 12 Octobre présent mois.

III. Nos Ministres Secrétaires d'Etat aux Départements de l'Agriculture, du Commerce, et des Travaux Publics, et au Département des Finances, sont chargés, chacun en ce qui le concerne, de l'exécution du présent décret.

Fait au Palais de Saint-Cloud, le 26 Octobre, 1860.

Par l'Empereur :

NAPOLÉON.

*Le Ministre Secrétaire d'Etat au Département de l'Agriculture,  
du Commerce, et des Travaux Publics,*

E. ROUHER.

*Tableau indiquant les Marchandises auxquelles les Droits inscrits dans la Convention du 12 Octobre, 1860, sont applicables à partir du 1er Novembre, 1860,*

**METALLUX.**

		Mineral.
		Limailles et débris de vieux ouvrages en cuivre.
		Cuivre pur ou allié de zinc ou d'étain, de première fusion, en masses, barres, saumons ou plaques.
Cuivre .. ..	{	Cuivre pur ou allié de zinc ou d'étain, laminé ou battu, en barres ou planches.
		Cuivre pur ou allié, en fils de toute dimension, polis ou non.
		Cuivre doré ou argenté, battu, tiré ou laminé, filé sur fil ou sur soie.
		Mineral cru ou grillé, pulvérisé ou non.
Zinc .. ..	{	Limaille et débris de vieux ouvrages.
		En masses brutes, saumons, barres ou plaques.
		Laminé.
		Mineral et scories de toute sorte.
		Limaille et débris de vieux ouvrages.
Plomb .. ..	{	En masses brutes, saumons, barres ou plaques.
		Laminé.
		Allié d'antimoine, en masse.
		Vieux caractères d'imprimerie.
		Mineral.
		En masses brutes, saumons, barres ou plaques.
Etain .. ..	{	Limailles et débris.
		Allié d'antimoine (métal britannique) en lingots.
		Pur ou allié, battu ou laminé.
Bismuth brut.		
		Mineral.
Antimoine ..	{	Sulfuré fondu.
		Métallique ou régule.

Nickel	{ Minerai de nickel et speiss. Pur ou allié d'autres métaux, notamment de cuivre ou de zinc (argentan), en lingots ou masses brutes. Pur ou allié d'autres métaux, laminé ou étiré.
Manganèse.	
Arsenic .. ..	{ Minerai. Arsenic métallique.
Minerais non dénommés.	

## OUVRAGES EN METAUX.

Fonte .. ..	{ Ouvrages en fonte moulée, non tournés ni polis : 1re class. Coussinets de chemins de fer, plaques ou autres pièces coulées à découvert. 2e classe. Tuyaux cylindriques, droits, poutrelles et colonnes pleines, cornues pour la fabrication du gaz. 3e classe. Poteries et tous autres ouvrages non désignés dans les deux classes précédentes.
	{ Ouvrages en fonte polis ou tournés. Ouvrages en fonte étamés, émaillés ou vernissés.
	{ Ferronnerie comprenant : pièces de charpente, courbes et solives pour navires. Ferrures de charrettes et wagons. Gonds, pentures, gros verrous, équerres et autres gros ferrements de portes ou croisées, non tournés ni polis. Grilles en fer plein, lits, sièges et meubles de jardin ou autres, avec ou sans ornements ; accessoires en fonte, cuivre ou acier. N.B. Les essieux, ressorts et bandages de roues ne sont pas compris dans cette nomenclature, et figurent parmi les pièces détachées de machines.
	{ Serrurerie comprenant : serrures et cadenas en fer de toute sorte, fiches et charnières en tôle, loquets, targettes et tous autres objets en fer ou tôles tournés, polis ou limés pour ferrures de meubles, portes et croisées.
Fer .. ..	{ Clous forgés à la mécanique. Clous forgés à la main. Vis à bois, boulons et écrous. Ancres.
	{ Cables et chaînes en fer. Outils en fer pur, emmanchés ou non. Tubes en fer étirés, soudés par simples rapprochements. Tubes de 9 millimètres de diamètre intérieur ou plus. Tubes de moins de 9 millimètres, raccords de toute espèce. Tubes en fer étirés, soudés sur mandrin et à recouvrement.
	{ Hameçons de mer en fer, étamés ou non. Articles de ménage et autres ouvrages non dénommés : En fer ou en tôle, polis ou peints ; En fer ou en tôle étamés, émaillés ou vernissés.
	{ Outils en acier pur (limes, scies circulaires ou droites, faux, faucilles, et autres non dénommés). Aiguilles à coudre de moins de 5 centimètres. Aiguilles à coudre de 5 centimètres ou plus.
Acier .. ..	{ Hameçons de rivière en acier bleui ou non. Plumes métalliques en métal autre que l'or et l'argent. Petits objets en acier, tels que perles, coulants, broches et dès à coudre.
	{ Articles de ménage et autres ouvrages en acier pur non dénommés.
Instruments de chirurgie, d'optique et de précision.	
Armes	{ Armes blanches.
de commerce.	{ Armes à feu.

## METAUX DIVERS.

Outils en fer rechargés d'acier, emmanchés ou non.

Objets en fonte et fer non polis, le poids du fer étant inférieur à la moitié du poids total.  
 Objets en fonte et fer non polis, le poids du fer étant égal ou supérieur à la moitié du poids total.  
 Objets en fonte et fer polis, émaillés ou vernissés, même avec ornements accessoires en fer, cuivre, laiton ou acier.  
 Toiles métalliques en fer ou en acier.  
 Cylindres en cuivre ou laiton pour impression, gravés ou non.  
 Chaudronnerie.  
 Toiles en fils de cuivre ou laiton.  
 Objets d'art et d'ornement, et tous autres ouvrages en cuivre pur ou allié de zinc ou d'étain.  
 Ouvrages en zinc de toute espèce.  
 Tuyaux et autres ouvrages de plomb de toute sorte.  
 Caractères d'imprimerie neufs.  
 Poteries et autres ouvrages en étain pur ou allié d'antimoine.  
 Ouvrages en nickel, allié au cuivre ou au zinc (argentan).  
 Ouvrages en plaqué sans distinction de titre.  
 Ouvrages en métaux dorés ou argentés, soit au mercure, soit par les procédés électro-chimiques.  
 Orfèvrerie et bijouterie en or, argent, platine ou autres métaux.  
 Horlogerie.  
 Fournitures d'horlogerie.

#### MACHINES ET MÉCANIQUES.—APPAREILS COMPLETS.

Machines à vapeur, fixes, avec ou sans chaudières, avec ou sans volants.  
 Machines à vapeur, fixes, pour la navigation, avec ou sans chaudières.  
 Machines locomotives ou locomobiles.  
 Tenders complets de machines locomotives.  
 Machines pour la filature.  
 Machines pour le tissage.  
 Machines pour fabriquer le papier.  
 Machines à imprimer,  
 Machines pour l'agriculture.  
 Machines à bouter les plaques et rubans de cardes.  
 Métiers à tulle.  
 Appareils en cuivre à distiller.  
 Appareils à sucre.  
 Appareils de chauffage.  
 Cardes non garnies.  
 Chaudières à vapeur, en tôle de fer, cylindriques ou sphériques, avec ou sans bouilleurs ou réchauffeurs.  
 Chaudières à vapeur tubulaires, en tôle de fer, à tubes en fer, cuivre ou laiton, étirés, ou en tôle clouée, à foyers intérieurs, et toutes autres chaudières de forme non cylindrique ou sphérique simple.  
 Chaudières en tôle d'acier de toute forme.  
 Gazomètres, chaudières découvertes, poêles et calorifères en tôle ou en fonte et tôle.  
 Machines-outils et machines non dénommées, contenant 75 pour cent de fonte et plus.  
 Machines-outils et machines non dénommées, contenant de 50 à 75 pour cent exclusivement de leur poids en fonte.  
 Machines-outils et machines non dénommées, contenant moins de 50 pour cent de leur poids en fonte.

#### PIÈCES DÉTACHÉES DE MACHINES.

Plaques et rubans de carde sur cuir, caoutchouc, ou sur tissus purs ou mélangés.  
 Dents de rots en fer ou en cuivre.  
 Rots, ferrures ou peignes à tisser, à dents de fer ou de cuivre.  
 Pièces en fonte, polies, limées et ajustées.  
 Pièces en fer forgé, polies, limées et ajustées ou non, quel que soit leur poids.  
 Ressorts en acier pour carrosserie, wagons et locomotives.



Pièces en acier, polies, limées et ajustées ou non, pesant plus d'un kilogramme.

Pièces en acier, polies, limées, ajustées ou non, pesant un kilogramme ou moins.

Pièces en cuivre pur ou allié de tous autres métaux.

Plaques et rubans de cuir, de caoutchouc et de tissus spécialement destinés pour cartes.

Or battu en feuilles.

Sucres raffinés.

Vu pour être annexé au décret du 26 Octobre, 1860.

*Le Ministre Secrétaire d'Etat au Département de l'Agriculture,  
du Commerce, et des Travaux Publics,*

ROUHER.

**DECRET IMPERIAL** Français, qui soumet à différentes Surtaxes les Marchandises d'Origine et de Manufacture Britanniques inscrites dans le Traité conclu, le 23 Janvier, 1860,\* entre la France et l'Angleterre, importées autrement que par Navires Français ou Britanniques.—St. Cloud, le 28 Octobre, 1860.

NAPOLEON, par la grâce de Dieu et la volonté nationale, Empereur des Français, à tous présents et à venir, salut.

Sur le rapport de notre Ministre Secrétaire d'Etat au Département de l'Agriculture, du Commerce et des Travaux Publics ;

Vu le Traité conclu, le 23 Janvier, 1860, entre la France et l'Angleterre,

Avons décrété et décrétons ce qui suit :

ART. I. Les marchandises d'origine et de manufacture Britanniques inscrites dans le Traité conclu, le 23 Janvier, 1860, entre la France et l'Angleterre, importées autrement que par navires Français ou Britanniques, seront soumises,

1°. A une surtaxe fixe de 25 centimes par cent kilogrammes, lorsque ces marchandises sont affranchies de tout droit à l'entrée, ou lorsqu'elles sont taxées à moins de 3 francs par 100 kilogrammes ;

2°. Aux surtaxes édictées par l'Article VII de la Loi du 28 Avril, 1816, lorsque ces marchandises sont assujetties à un droit de 3 francs et au-dessus par 100 kilogrammes.

II. Nos Ministres Secrétares d'Etat au Département de l'Agriculture, du Commerce et des Travaux Publics, et au Département des Finances, sont chargés, chacun en ce qui le concerne, de l'exécution du présent décret.

Fait au Palais de Saint Cloud, le 28 Octobre, 1860.

Par l'Empereur :

NAPOLEON.

*Le Ministre Secrétaire d'Etat au Département de l'Agriculture,  
du Commerce, et des Travaux Publics,*

E. ROUHER.

\* See Vol. 11. Page 165.

DECRET IMPERIAL *Français, qui détermine les Ports par lesquels seront Importées les Marchandises d'Origine et de Manufacture Britanniques dénommées dans la Convention conclue, le 12 Octobre, 1860,\* entre la France et la Grande Bretagne. —St. Cloud, le 28 Octobre, 1860.*

NAPOLEON, par la grâce de Dieu et la volonté nationale, Empereur des Français, à tous présents et à venir, salut.

Sur le rapport de notre Ministre Secrétaire d'Etat au Département de l'Agriculture, du Commerce, et des Travaux Publics ;

Vu la Convention conclue, le 12 Octobre présent mois, entre la France et l'Angleterre ;

Vu l'Article XX de la Loi du 28 Avril, 1816 ;

Vu l'Article VIII de la Loi du 27 Mars, 1817,

Avons décrété et décrétons ce qui suit :

ART. I. Les marchandises d'origine et de manufacture Britanniques dénommées dans la Convention susvisée du 12 Octobre présent mois seront, selon les différentes catégories du Tarif auxquelles elles appartiennent, importées par les ports désignées par les lois et règlements de douanes, et notamment par l'Article XX de la Loi du 28 Avril, 1816, et par l'Article VIII de la Loi du 27 Mars, 1817.

II. Nos Ministres Secrétares d'Etat au Département de l'Agriculture, du Commerce, et des Travaux Publics, et au Département des Finances, sont chargés, chacun en ce qui le concerne, de l'exécution du présent décret.

Fait au Palais de Saint-Cloud, le 28 Octobre, 1860.

Par l'Empereur :

NAPOLEON.

*Le Ministre Secrétaire d'Etat au Département de l'Agriculture, du Commerce, et des Travaux Publics,*

E. ROUHER,

ADDITIONAL ARTICLES *to the detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France for the execution of the Postal Convention of 24th September, 1856.†—Signed in the English and French Languages at London, 36A Paris, 36A April, 1861.*

THE Postmaster-General of the United Kingdom of Great Britain and Ireland, on the one part, and the Director-General of the French Post Office, on the other part.

With reference to Articles XXXI and XXXVI of the Postal Convention concluded between France and Great Britain the 24th September, 1856 ;

\* See Vol. 11. Page 183. † See Vol. 10. Page 108.

With reference also to the Detailed Regulations arranged between the French Post Office and the Post Office of Great Britain, for the execution of the said Convention, signed at Paris the 27th October, 1856, and at London the 12th November, 1856;\*

Have agreed as follows :

ART. I. There shall be a direct exchange of closed mails by means of British packets and by way of the Isthmus of Suez, between the office of Marseilles and the travelling office from Lyons to Marseilles, on the one part, and the office of Port Louis (Mauritius), on the other part, as well for ordinary letters, registered letters, and printed papers of all kinds exchanged by the said route between the inhabitants of France and Algeria and the inhabitants of Mauritius, as for articles of a like nature exchanged between the inhabitants of the foreign countries the correspondence of which is transmitted through France, and the inhabitants of Mauritius.

II. The persons who wish to send ordinary letters either from France and Algeria to Mauritius, or from Mauritius to France and Algeria, shall have the option of leaving the entire postage of those letters to be paid by the persons to whom they are addressed, or of paying in advance the postage to the place of destination.

The Post Office of France shall pay to the British Post Office as well for paid letters forwarded from France and Algeria addressed to Mauritius, as for unpaid letters forwarded from Mauritius addressed to France and Algeria, the sum of 1 franc 62 centimes and  $\frac{1}{10}$ ths of a centime per 30 grammes of letters, net weight. On its side, the British Post Office shall pay to the Post Office of France for paid letters forwarded from Mauritius addressed to France and Algeria, the same rate as for paid letters from the British Colonies in America; and for unpaid letters forwarded from France and Algeria addressed to Mauritius, the same rate as for unpaid letters addressed to the British Colonies of America.

III. The ordinary letters coming from or addressed to the foreign countries the correspondence of which is transmitted through France which shall be comprised in the closed mails referred to in Article I preceding, shall be subject to the same conditions with respect to prepayment as the letters exchanged between those same foreign countries and the Island of Malta by way of France.

The Post Office of France shall pay to the Post Office of Great Britain for such of the said letters as shall be fully prepaid by the inhabitants of the foreign countries the correspondence of which is transmitted through France, the same rate as for letters coming from or addressed to France.

\* See Page 431.

As to the rate to be paid by the British Post Office to the Post Office of France, as well for paid letters forwarded from Mauritius addressed to the foreign countries the correspondence of which is transmitted through France, as for unpaid letters or letters charged with a French transit rate forwarded from the said countries, addressed to Mauritius, it shall be the same as for letters exchanged between those same foreign countries and the Island of Malta by way of France.

IV. The office of Marseilles and the travelling office from Lyons to Marseilles may deliver to the office of Port Louis registered letters addressed to Mauritius.

On their side the office of Port Louis may deliver to the office of Marseilles and to the travelling office from Marseilles to Lyons registered letters addressed as well to France and Algeria as to the foreign countries to which the inhabitants of Mauritius shall have the right of forwarding, by way of France, ordinary letters paid to destination.

V. The forms of letter bills and acknowledgments of receipt of which the office of Marseilles and the travelling office from Lyons to Marseilles shall make use in their communications with the offices of Aden, Bombay, Madras, Calcutta, Point de Galle, Penang, Singapore, Hong Kong, and Port Louis, shall be according to the pattern annexed to the present Articles.

The forms of letter bills and acknowledgments of receipt of which the offices of Aden, Bombay, Madras, Calcutta, Point de Galle, Penang, Singapore, Hong Kong, and Port Louis shall make use in their communications with the office of Marseilles and with the travelling office from Marseilles to Lyons, shall agree with the pattern above referred to.

VI. The provisions of the Articles XXIX, XXX, XXXII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XLI, XLV, XLVI, XLVII, XLVIII, and XLIX of the Detailed Regulations arranged between the Post Office of France and the British Post Office for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London the 12th November, 1856, are applicable to the correspondence coming from or addressed to Mauritius.

VII. The present Articles shall be considered as additional to the Detailed Regulations referred to in the preceding Article, and shall be carried into effect on the 1st day of July, 1861.

Done in duplicate and signed at London the 5th day of April, 1861, and at Paris the 8th of the same month.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) STOURM.

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**DECRET IMPERIAL** *Français, qui approuve la Convention passée, le 2 Janvier, 1861,\* pour l'exécution et l'exploitation d'une Ligne Télégraphique Sous-marine entre la France et l'Angleterre. —Paris, le 22 Mai, 1861.*

NAPOLEON, par la grâce de Dieu et la volonté nationale, Empereur des Français, à tous présents et à venir, salut.

Sur le rapport de notre Ministre Secrétaire d'Etat au Département de l'Intérieur :

Vu la Convention intervenue, le 2 Janvier, 1861, entre le Ministre de l'Intérieur, au nom de l'Etat, et la Compagnie du Télégraphe Sous-marin entre la France et l'Angleterre ;

Vu le décret du 12 Janvier, 1859 ;†

Notre Conseil d'Etat entendu,

Avons décrété et décrétons ce qui suit :

ART. I. Est approuvée la Convention ci-annexée, intervenue, le 2 Janvier, 1861, entre le Ministre de l'Intérieur, au nom de l'Etat, et Sir James Robert Carmichael et M. John Watkins Brett, pour l'exécution et l'exploitation d'une ligne télégraphique sous-marine entre la France et l'Angleterre.

II. Notre Ministre Secrétaire d'Etat au Département de l'Intérieur est chargé de l'exécution du présent décret.

Fait au Palais des Tuileries, le 22 Mai, 1861.

Par l'Empereur :

NAPOLEON.

*Le Ministre Secrétaire d'Etat au Département de l'Intérieur,*

F. DE PERSIGNY.

(ANNEXE.) CONVENTION entre M. le Ministre de l'Intérieur, agissant au nom de l'Etat, d'une part ;

Et M. James Robert Carmichael, Baronet, et M. John Watkins Brett, agissant au nom et pour le compte de la Compagnie du Télégraphe Sous-marin entre la France et l'Angleterre, en vertu d'une autorisation donnée par l'Assemblée Générale des Actionnaires, le 16 Août, 1860, et faisant élection de domicile à Paris, Rue Richelieu, No. 83, d'autre part ;

Il a été dit et convenu ce qui suit :

Aux termes du deuxième paragraphe de l'Article III d'une Convention intervenue entre le Gouvernement Français et la Compagnie du Télégraphe Sous-marin entre la France et l'Angleterre, approuvée par Décret Impérial du 12 Janvier, 1859, et par laquelle ladite Compagnie a été déclarée concessionnaire de lignes construites et à construire entre certains points déterminés des côtes de France et l'Angleterre, le Gouvernement Français s'est réservé le droit d'autoriser, comme il aviserait, l'établissement d'une ligne télégraphique partant d'un point quelconque des côtes de France et aboutissant aux côtes

\* See Page 468. † See Page 449.

d'Angleterre et aux Iles de la Manche, en dehors de ces points d'atterrissement.

Toutefois, aux termes des 3<sup>ème</sup> et 4<sup>ème</sup> paragraphes du même Article de ladite Convention, il a été expressément stipulé que la Compagnie précitée aurait un droit de préférence dans le cas où elle désirerait construire ou exploiter elle-même cette nouvelle ligne à conditions égales, et que, pour user de ce droit, elle devrait faire connaître sa décision dans le délai d'un mois à partir de la mise en demeure du Gouvernement Français.

M. Latimer Clark, agissant pour la compte de la Compagnie Electrique Internationale à Londres, Télégraphe-street, No. 1, ayant sollicité du Gouvernement Français la concession d'une ligne télégraphique sous-marine entre Dieppe et New-Haven, à des conditions qui ont paru acceptables, la Compagnie du Télégraphe Sous-marin a été mise en demeure, à la date du 11 Août, 1860, de faire connaître si elle entendait user de son droit de préférence et établir ladite ligne aux mêmes conditions.

La Compagnie ayant déclaré, par une lettre en date du 31 Août suivant, qu'elle était disposée à user de son droit de préférence et à établir la ligne auxdites conditions, il a été arrêté ce qui suit :

ART. I. La Compagnie s'engage à établir, avant le 31 Mai, 1861, un câble télégraphique sous-marin contenant au moins 4 fils conducteurs. Le point d'atterrissement sur la côte de France sera la ville de Dieppe ou les environs, et celui de la côte d'Angleterre sera Beachy Head, à l'est de Brighton. Dans les deux pays, ces points seront reliés aux lignes intérieures par des lignes aériennes ou souterraines contenant le même nombre de fils que le câble sous-marin. Ces lignes devront être terminées en même temps que le câble et devront communiquer, en Angleterre, au bureau de Londres, et en France, à celui de Paris.

Le câble devra être établi dans de bonnes conditions de solidité et de fonctionnement.

II. La Compagnie s'engage à transmettre, tant par le câble projeté que par les lignes existantes ou à construire, les dépêches privées de 20 mots, adresses comprises, au prix :

1°. De 3 francs entre la côte de France et la ville de Londres, et *vice versa*.

2°. De 4 francs 25 centimes de la côte de France pour un point quelconque du Royaume Uni de la Grande Bretagne et d'Irlande, et réciproquement.

Ces taxes sont applicables non-seulement aux dépêches Françaises, mais à toutes celles qui transiteront par la France.

Ce nouveau tarif sera mis en vigueur à partir du 1<sup>er</sup> Février, 1861.

Dans le cas où, par suite d'arrangement quelconque avec un pays étranger, la Compagnie du Télégraphe Sous-marin

consentirait à une réduction de tarif, les dépêches Françaises et toutes celles qui transiteraient par la France profiteraient immédiatement de la même réduction.

III. Dans le Royaume Uni de la Grande Bretagne et d'Irlande, la remise des dépêches à domicile dans les localités pourvues ou non de Bureaux Télégraphiques sera gratuite, c'est-à-dire qu'il ne sera exigé des expéditeurs ou des destinataires, pour le port des dépêches à domicile, aucune surtaxe en outre du tarif spécifié à l'Article précédent.

IV. La Compagnie devra déposer à la caisse des dépôts et consignations, à titre de cautionnement et de garantie de l'établissement de la nouvelle ligne, la somme de 75,000 francs.

Le dépôt aura lieu dans les 8 jours qui suivront l'approbation de la Convention et sera restitué aux concessionnaires aussitôt la pose du câble, et les expériences faites pour constater sur bon fonctionnement.

Faute par la Compagnie de remplir ses engagements, ce cautionnement de 75,000 francs restera acquis au Trésor public.

V. La Compagnie s'engage à établir à ses frais, dans le délai d'un mois à partir de la réquisition du Gouvernement Français, un fil télégraphique, qui, partant de son bureau central à Londres, aboutira à l'hôtel de l'Ambassade Française dans la même ville. Ce fil, muni d'un appareil télégraphique spécial et relié à un des conducteurs du câble, servira à une communication directe entre l'hôtel de l'Ambassade Française à Londres et l'hôtel des Affaires Etrangères à Paris.

Néanmoins, la Compagnie pourra se servir dudit fil pour transmettre d'autres dépêches quand il ne sera pas occupé par les dépêches de l'Ambassade.

VI. Les sommes dues à l'Etat, par la Compagnie, pour les dépenses mises à sa charge par application de l'Article V de la Convention du 2 Janvier, 1859,\* seront versées annuellement à la caisse du Receveur Central du Département de la Seine.

La Compagnie laissera constamment en dépôt dans une caisse publique à Paris, en garantie du paiement mentionné ci-dessus, une somme de 50,000 francs; les intérêts provenant de ce dépôt seront perçus par la Compagnie.

VII. La concession résultant de la présente Convention prendra fin dans un délai de 30 années, à dater de l'époque spécifiée par le 3<sup>me</sup> paragraphe de l'Article I de la Convention du 2 Janvier, 1859.

VIII. A moins de cas de force majeure dûment constaté la Compagnie serait déchue de plein droit si elle ne remplissait pas toutes les clauses de la présente Convention.

Le Gouvernement Français pourra également déclarer nulle la présente Convention si la communication télégraphique reste interrompue sur le câble précité pendant 60 jours consécutifs.

\* See Page 451.

IX. Continueront de recevoir leur exécution les dispositions de la Convention du 2 Janvier, 1859, auxquelles il n'est pas expressément dérogé par la présente Convention.

X. Les contestations qui s'élèveraient entre les concessionnaires et l'administration, au sujet de l'exécution et de l'interprétation des clauses de la présente Convention, seront jugées administrativement par le Conseil de Préfecture du Département de la Seine, sauf recours au Conseil d'Etat.

XI. La présente Convention devra être approuvée par un Décret de Sa Majesté l'Empereur.

Fait double à Paris, le 2 Janvier, 1861.

*Le Ministre Secrétaire d'Etat au Département de l'Intérieur,*  
F. DE PERSIGNY.

Approuvé l'écriture ci-dessus et d'autre part.

J. R. CARMICHAEL.

J. W. BRETT.

NOTIFICATION, *relative to the Duties payable on British Goods in France, with reference to the Treaty of Commerce between France and Belgium of 1st May, 1861. London, 5th June, 1861.*

*Board of Trade, Whitehall, June 5, 1861.*

THE Lords of the Committee of Privy Council for Trade have received, through Her Majesty's Secretary of State for Foreign Affairs, copies of the French "Moniteur," containing Imperial Decrees of the 27th and 29th May last,\* promulgating a Treaty of Commerce, concluded on the 1st May last, between France and Belgium, and extending its provisions to the United Kingdom, in execution of Article V of the Second Supplementary Convention to the Treaty of Commerce between Great Britain and France of the 23rd January, 1860; also a Decree of the 29th May,† fixing, in conformity with the provisions of such Treaty between France and Belgium, the rates at which the duties which it establishes are applicable to the several classes of articles comprised in the Tariff annexed to it.

The following table shows the modifications of, and the additions to, the Tariff annexed to the Supplemental Conventions to the Treaty with the United Kingdom, contained in the present Treaty between France and Belgium. This list, taken in conjunction with the Tariff annexed to the above-mentioned Supplemental Conventions will show the duties at which articles of British produce or manufacture will be henceforth admissible into France.

\* See Vol. 11. Page 165. † See Vol. 11 Page 202.



**EXCISE DUTIES.**—*Modifications in Duties imposed by virtue of Article III, Second Supplementary Convention of 16th November, 1860.\**

		<i>Frs. cts.</i>
Chloride of lime .. .. .	100 kilos.	7 50
Glass-ware, window glass, and other white glass ..	"	2 00
Glass bottles .. .. .	"	0 80
Artificial ultramarine .. .. .	"	6 75
Sal ammoniac .. .. .	"	10 00

**IMPORT DUTIES.**—*Modifications in Import Duties fixed by Treaty of Commerce.*

Articles.	In French or British Vessels.	
	1861.	1864.
	<i>Frs. cts.</i>	<i>Frs. cts.</i>
<b>METALS:</b> Iron for ships' ballast .. ..	To pay as pig iron.	
Steel; hoop steel .. ..	To pay as steel in bars.	
Steel in sheets or bands, brown, hot-rolled, of more than half a millimètre in thickness .. .. 100 kilos.	22 00	18 00
" ditto, ditto, of half a millimètre or less .. .. "	30 00	25 00
Steel in sheets or bands, white, cold-rolled, of whatever thickness .. .. "	30 00	25 00
Zinc, in rough masses, pigs, bars, or plates .. ..	Free	Free
Cadmium, rough; mercury, native; etain de glace .. ..	Free	Free
<b>METAL WARES:</b> Hollow columns, solid bars or railings, fire plates and bars, framework of machines, &c., without ornaments or adjustments .. ..	To pay as cast iron manufactures, 2nd class.	
Steel fish-hooks .. .. 100 kilos.	50 00	50 00
Surgical, optical, physical, and chemical instruments for laboratories .. ..	Free	Free
Stereotype-type and engraved plates for printing on paper .. ..	To pay as new printing type.	
Machines for cleaning and dressing wool, cotton, flax, hemp, and other materials for textile manufactures .. 100 kilos.	9 00	8 00
Gold and silver leaf .. .. "	50 00	50 00
Sugar, candied .. .. "	44 00	44 00
Leather, varnished, dyed, or morocco leather .. .. "	100 00	100 00
" other kinds of prepared leather .. .. "	15 00	15 00
Old packing cases .. ..	Free	Free
River boats .. ..	To pay as hulls of ships.	
<b>RAW MATERIALS AND TEXTILE FABRICS.</b>		
<b>LINEN:</b> Flax or hemp combed .. ..	Free	
Linen yarn:		
Twisted, unbleached .. ..	The same duty as on single unbleached yarn with an increase of 30 per cent.	
" bleached or dyed .. ..	Same duty as on single bleached yarn with an increase of 30 per cent.	

\* See Vol. 10. Page 191.

Articles.	In French or British Vessels.	
	1861.	1864.
Tissues of flax or hemp, plain linens and diapers, having in the warp, in the space of 5 square millimètres:		
Unbleached, 8 threads or less. . . 100 kilos.	<i>Frs. cts.</i> 28 00	
„ 12 threads. . . „	65 00	
(The other classes remain unaltered.)		
Ditto, bleached, dyed, or printed, of 8 threads or less. . . „	38 00	
Ditto, ditto, of 12 threads. . . „	95 00	
(The other classes remain unaltered.)		
Drills, plain or figured, unbleached, bleached, dyed, or printed. . .	16 per cent. <i>ad valorem</i> .	
JUTE: Combed. . .	Free	Free
Tissues of jute mixed with other materials, when the jute predominates in weight. . .	20 per cent. <i>ad valorem</i> .	15 per cent. <i>ad valorem</i> .
VEGETABLE FIBRES: Combed or twisted.	Free	Free
HAIR: Tissues of cow-hair, pure or mixed. . .	10 per cent. <i>ad valorem</i> .	10 per cent. <i>ad valorem</i> .
COTTON: Cotton yarn, twisted in two strands, unbleached. .	Same as single unbleached yarn, with an addition of 30 per cent.	
„ warped, unbleached. .	Same as single unbleached yarns, with an addition of 30 per cent.	
Tissues of cotton, mixed with other materials, provided the cotton predominates in weight. . .	15 per cent. <i>ad valorem</i> .	15 per cent. <i>ad valorem</i> .
WOOLLENS: Woollen yarn, twisted, for weaving, bleached or not. . .	Same as single unbleached yarn, with an addition of 30 per cent.	
SILK: Apparel and other articles of silk to pay as the articles with which they agree according to the weight of silk.		
CASHMERE SHAWLS and scarfs of India. . .	5 per cent. <i>ad valorem</i> .	5 per cent. <i>ad valorem</i> .
TISSUES OF CAMEL'S HAIR. . .	To pay as alpaca.	
MISCELLANEOUS:		
Cordage and cables. . . 100 kilos.	15 00	15 00
Curcuma, in powder; Prussian blue, carmine, all sorts; blue or green ashes, mountain green, stil de grain (yellow lake). . .	Free	Free
Oxide of zinc, oxides and carbonates of lead. . .	5 00	2 00
Eau de vie. . .	To pay as alcohol.	
Molasses, imported for distillation. . .	Free	Free
Colours not denominated, dry or liquid	5 per cent. <i>ad valorem</i> .	5 per cent. <i>ad valorem</i> .
Stearic acid. . .		
Glue and gelatine. . .		

*Modifications in Import Duties fixed by the General Tariff of France.*

Articles.	Import Duties.	
	In French or British Vessels.	
	<i>Frs. cts.</i>	
Straw plaiting .. .. . 100 kilos.	5	00
Straw hats .. .. . each	0	25
Cheese, soft .. .. . 100 kilos.	3	00
Hair, not specially denominated, raw or spun .. .. .	Free	
Goat's hair, combed .. .. . 100 kilos.	10	00
Quills, dressed or not .. .. .	Free	
Bed feathers and down .. .. . 100 kilos.	50	00
Wax, raw, yellow or white .. .. . "	1	00
" " manufactured .. .. . "	4	00
Milk .. .. .	Free	
Butter, fresh or melted .. .. .	Free	
" salt .. .. . 100 kilos.	2	50
Honey, Parings of skins, Lobsters .. .. .	Free	
Oysters, fresh .. .. . 1000	1	50
" prepared or pickled .. .. . 100 kilos.	6	00
Mussels and other shell fish .. .. .	Free	
Fish, blubber and grease .. .. . 100 kilos.	6	00
Spermaceti .. .. . "	2	00
Whalefins, Dog-fish skins and Dog-fox skins; Coral, uncut and unmounted; Maurelle; Lac, dye or in lumps .. .. .	Free	
Naphtha and like substances .. .. .	5 per cent. <i>ad valorem</i> .	
Drugs: Cantharides, dried; Civet, Musk, Castoreum, Ambergris, Fruits for distilling, Storax and Styrax, Saracolla, Kino and other dry vegetable juices, Medicinal roots, Herbs, flowers, leaves, and medicinal barks; Agaric; Kermes, mineral; Extract of quinine, Camphor, raw and refined, Praiss (tobacco juice) 100 kilos.	2	00
Sponge .. .. . 100 kilos.	50	00
Bones and hoofs of cattle, Wolf's teeth .. .. .	Free	
Horns, raw .. .. .	Free	
" prepared in sheets .. .. . 100 kilos.	3	00
Resins, and distilled resins .. .. .	Free	
Liquorice juice .. .. . 100 kilos.	12	00
Cork uncut, rasped .. .. .	Free	
" manufactured .. .. .	10 per cent. <i>ad valorem</i> .	
Dyewoods, Canes and reeds, rough; Barks for tanning, Beetroot, Potatoes .. .. .	Free	
Hops .. .. . 100 kilos.	20	00
Sowing seeds .. .. .	Free	
Fruits and seeds, oleaginous .. .. .	Free	
Vegetables, preserved .. .. . 100 kilos.	3	00
Chicory roots, green .. .. . "	0	25
" " dry .. .. . "	1	00
Alkaline plants .. .. .	Free	
Marble and alabaster of all kinds, raw, squared, or sawn, to 16 centimètres and above in thickness .. .. . 100 kilos.	1	00
Marble otherwise sawn, sculptured, or polished .. .. .	1	50

Articles.	Import Duties.	
	In French or British Vessels.	
	<i>Frs. cts.</i>	
Granite building stones, and slate stones, rough, cut or sawn .. .. .	Free.	
Granite, sculptured or polished.. .. 100 kilos.	0 50	
Precious Stones of all sorts .. .. .	Free.	
Agate and other similar stones, worked	10 per cent. <i>ad valorem</i> .	
Grinding Stones of all sorts, Lime and Plaster, Graphite and Plombagine ..	Free	
Pencils, slate .. .. . 100 kilos	1 00	
" lead .. .. .	10 per cent. <i>ad valorem</i> .	
Perfumery :—	to pay as alcohol.	
" alcoholic .. .. .	10 00	
" others .. .. . 100 kilos.	5 00	
Mustard, Chicory, roasted or ground ..	10 per cent. <i>ad valorem</i> .	
Candles of all kinds .. .. .	40 00	
Isinglass .. .. . 100 kilos.	Free	
Extracts of meat .. .. .	35 00	
Chocolate and cocos, simply bruised .. 100 kilos.	Free	
Mineral waters, including the bottles ..	10f. 00c.—8f. 00c. in 1864.	
Paper, of all sorts .. .. . 100 kilos.	10f. 00c.—8f. 00c. "	
Cardboard, of all sorts .. .. . "	10 per cent. <i>ad valorem</i> .	
" ground, cut, and mixed ..		
Books, French, of dead or foreign languages; engravings, lithographs, photographs, and drawings; geographical maps; Music, engraved; Ticket Labels, printed, engraved or coloured; Objects of Collection, not commercial ..	Free	
Statues, modern, in marble or stone; in metal, of life-size or less .. ..	Free	
Toys, Basket work, Umbrellas and Parasols .. .. .	10 per cent. <i>ad valorem</i> .	
Hair, worked; common Brooms; oak and walnut wood .. .. .	Free	
Bitumen .. .. .	Free	
Starch .. .. . 100 kilos.	1 50	
Sulphur, raw, purified, or sublimated ..	Free	
Playing cards .. .. .	15 per cent. <i>ad valorem</i> .	
EXPORT DUTIES—GENERAL TARIFF.		
		<i>Frs. cts.</i>
Raw skins, parings of skins, bones of all sorts and horns of cattle, oil cake, manure, silk in cocoons, silk, dyed, of all kinds, sewing silk, waste silk, spun	Free	
Rags, woollen, pure .. .. .	Free	
" others, of all kinds .. .. . 100 kilos.	12 00	
Paper paste, for paper manufacture .. ..	12 00	
Old cordage, pitched or not .. .. . "	4 00	
Teasels for carding, animal black, mill-stones, walnut wood .. .. .	Free	

The French Tariff thus established was brought into operation on the 1st instant with respect to all articles not comprised in one or other of the two following lists.



## 1. LIST OF ARTICLES WHICH WILL BE ADMITTED ON JULY 1, 1861.

*Articles which will not be admitted until the 1st July, 1861.*

Raw beetroot sugar, refined sugars, sugar candy.

## 2. LIST OF ARTICLES (NOW PROHIBITED), WHICH WILL BE ADMITTED ON OCT. 1, 1861.

*Articles which will not be admitted until the 1st October, 1861.*

Cutlery of all kinds; carriages.

Cabinet makers' and turners' small wares in ivory, except ivory billiard balls and combs in ivory or tortoise shell.

Skins: Varnished, dyed, or morocco.

Prepared, of all other kinds, except the skins of lambs and of goats with the hair, made up or dressed, raw and dressed parchment and vellum, swan and goose skins, calves' skins, perfumed, known as Russian, used for binding, simply tanned or curried with tan, or prepared as Hungarian leather and dressed with alum.

Articles of skin and leather of all kinds, other than coarse saddlery and leathern bottles (outres).

Sea-going ships of wood or iron, constructed in Belgium.

Hulls of sea-going ships, of wood or iron.

Flax or hempen yarn, mixed with cotton, wool, or hair. Linen net.

Tissues of flax or hemp, mixed with cotton, horsehair, wool, or hair.

Jute yarn, mixed with cotton, wool, or hair.

Tissues of jute, mixed with cotton, wool, horsehair, or hair.

Tissues, and articles of horsehair: Pure, except sieve cloths, haberdashery, and hats. Mixed.

Tissues and articles of cowhair: Pure, except coverings, carpets, and hosiery. Mixed with cotton or wool.

Cotton yarns, single, unbleached, measuring less than 143,000 mètres to the half-kilogramme. Single, bleached. Single, dyed. Twisted in two strands, unbleached, measuring less than 143,000 mètres to the half kilogramme. Twisted in two strands, bleached. Twisted in two strands, dyed. Warped, unbleached. Warped, bleached. Warped, dyed. In three or more strands, unbleached, single twist, measuring less than 143,000 mètres to the half kilogramme. In three or more strands, double or cable twist, measuring less than 143,000 mètres to the half kilogramme. In three or more strands, bleached. In three or more strands, dyed.

Tissues of cotton: Unbleached, plain, twilled, and ticks of all kinds. Bleached. Dyed. Printed.

Cotton velvets: Velvets unbleached, dyed, or printed. Other cords, moleskins, &amp;c., unbleached, dyed, or printed.

Tissues of cotton, unbleached, plain or twilled, measuring less than three kilogrammes the 100 square mètres.

Quiltings, dimities, stripes and checks, damasks, and brilliants.

Cotton counterpanes and blankets. Net or tulle, plain or embroidered. Gauzes or muslins, embroidered or figured in the loom, for furniture or hangings. Wearing apparel, or articles wholly or partly made up. Articles not denominated.

Embroideries by hand. Cotton yarns, mixed. Tissues of cotton, mixed.

Woollen yarns, single, bleached or not. Double, for weaving, bleached or not, except the yarns of long combed wool, unbleached, twisted in one or two strands, scoured. Double, for carpets, bleached or not. Dyed, single or double.

Tissues of wool, except blankets, carpets, haberdashery, and trimmings, and mill cloth (toile à blutoir), without seam.

Felts of all kinds, except filtering felts, felt soles, varnished and painted felt for carpets and table covers, felt for shades and the pieces or carcasses of coarse felt for silk hats, &amp;c.: felt in strips of 1 mètre, 20 centimètres or less in length, by 60 centimètres wide, for covering the hammers of piano fortes, and seamless cylinders for the manufacture of paper.

Woollen hosiery. Lace.

List shoes. Articles not denominated. Cloth list of all kinds in pieces. Clothes and made up articles of wearing apparel, new. Tissues of alpaca, lama, and Vicuna, pure or mixed, except carpets, haberdashery, and ribbons. Alpaca,

lama, and Vicuna yarn, pure or mixed, except scoured unbleached yarns, twisted into two or more strands. Camels hair yarns. Tissues of camel hair, except blankets, carpets, and hosiery. Yarns of wool and other materials above named, pure or mixed with cotton, or any other filaments.

Tissues of wool and of other materials above-named, pure or mixed with cotton, or any other filaments.

Tissues of goats' hair, except blankets, carpets, and hosiery. Silk net, plain, unbleached. Dressed. Figured, unbleached, or dressed.

Tissues of waste silk; tissues called ca-hmirs. Of silk, with half fine or false gold or silver. Of waste silk, with half fine gold or silver. Of silk, or of waste silk, mixed with wool, cotton, or hair.

Ribbons of silk, or of waste silk, mixed with wool, cotton or hair.

Clothes and made-up articles, mixed with wool, cotton, or hair.

Chloride of magnesium. Garancine. Curcuma powder.

Substances derived from the essence of coal, except azuline, or azelaine, fuchaine, and roseine (colours).

White phosphorous. Dye woods, extracts of. Caustic soda. Sulphate of soda. Bicarbonate of soda. Chloride of lime.

Chloride of potash. Soaps, common. Phosphorus, red. Aluminium. Aluminate of soda. Chloride of aluminium.

Chemical productions not specified in the Treaty, except hydrochloro-nitric acid (nitro-muriatic acid or royal water). phosphoric acid; potash; natrons; ammoniacal salts, raw and refined; Kreutznach medicinal salts; sulphate of barytes; sulphate of iron; sulphate of copper; sulphate of zinc; double sulphate of iron and of copper, known as vitriol of Almonds and of Salzbouurg; burnt alum, calcined, and others; borax, half refined; acetate of copper, raw and not crystallised, wet or dry; and acetate of copper crystallised; acetate of lead; acetate of potash; native carbonate of barytes and sulphides of mercury in lumps, natural or artificial (cinnabar), and powdered (vermillion).

Bottles of all kinds, unless filled. Window glass. Glass coloured, polished or engraved. Glass ware and table glass, white and coloured. Articles of glass, not specified. Rock crystal, worked. Earthenware with coloured glaze, majolica with varnish of several colours. Earthenware, fine. Stoneware, fine. Caoutchouc, articles of, made up clothes, except those in tissues, not prohibited. Caoutchouc, articles of, tissues in the piece. Molasses, other than for distillation. Hair yarns, not specially mentioned. Drugs, mineral kermes; extract of cinchona. Chicory, burnt or ground. Playing cards.

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BRITISH NOTIFICATION, *relative to the Discriminating Duties payable by French and Foreign Vessels, on the Importation of certain Goods into France, with reference to the Treaty of Commerce between France and Belgium.* London, July 20, 1861.

*Board of Trade, Whitehall, July 20, 1861.*

THE Right Honourable the Lords of the Committee of Privy Council for Trade have received, from the Secretary of State for Foreign Affairs, a copy of the "Moniteur," containing a French Imperial Decree, dated the 24th June last, fixing the following duties (including the double decime) on certain articles of merchandize by the General Tariff of France, with a view to assimilate them to those provided by the Tariff annexed to the Treaty between France and Belgium, of the 1st May, 1861.\*

\* See State Papers. Vol. 51. Page 708.

*Foreign Sugar, unrefined and not assimilated to refined.*

						fr.	c.		
By French vessels	{	from countries out of Europe ..	..	..	..	30	00	} the 100	kilos.
		from all other countries ..	..	..	..	32	00		
By Foreign vessels	{	from the East Indies ..	..	..	..	33	00		
		from all other countries ..	..	..	..	32	00		

*Coffee.*

By French vessels	{	from French colonies and French settlements						} the 100	kilos.
		on the West Coast of Africa ..				..	36 00		
		from other countries out of Europe ..				..	50 40		
By Foreign vessels		from all other countries ..	..	..	..	..	55 40		

*Oleaginous Grain and Fruits of all kinds.*

From Countries	}	by French vessels	..	..	..	..	free	
out of Europe		by Foreign vessels	..	..	..	..	2 00	ditto.
The produce of Eu-	}	by French vessels and by land	..	..	..	..	free	
ropean countries		by Foreign vessels	..	..	..	..	1 00	} the 100 kilos.
From other countries, by whatever mode of transport			..	..	..	..	2 00	

*Pure Fixed Oils.*

(1.) Olive Oil :—									
By French vessels	..	..	..	..	..	..	6 00	} the 100 kilos.	
By Foreign vessels	..	..	..	..	..	..	7 00		
(2.) Palm, cocoa-nut, &c. :									
By French vessels	{	from French colonies, Senegal, and French settlements in the East Indies					..	free	} the 100 kilos.
		from other countries out of Europe					..	1 00	
		from all other countries..					..	..	
By Foreign vessels		..	..	..	..	..	3 00		
(3.) Other pure fixed oils :									
By French vessels	{	from producing countries					..	6 00	} the 100 kilos.
and by land		..	from other countries					..	
By Foreign vessels		..	..	..	..	..	7 00		

*Swedish rough Iron in bars or lumps.*

By French vessels	..	..	..	..	..	..	..	7 00	} the 100 kilos.
By Foreign vessels	..	..	..	..	..	..	..	7 70	

*Drawbacks on Exportation.*

Foreign Sugars, unrefined and not assimilated to refined, imported by foreign vessels from countries out of Europe, are admitted to the privilege of the drawbacks fixed by the law of the 23rd May, 1860.

The bounties granted on the exportation of soap are repealed.

These bounties, however, will continue in operation during a month from the promulgation of the present Decree.

CONVENTION *between Great Britain, Spain, and France, relative to Combined Operations against Mexico.\* Signed at London, October 31, 1861.†*

SA Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, Sa Majesté la Reine d'Espagne, et Sa Majesté l'Empereur des Français, se trouvant placées par la conduite arbitraire et vexatoire des autorités de la République du Mexique dans la nécessité d'exiger de ces autorités une protection plus efficace pour les personnes et les propriétés de leurs sujets, ainsi que l'exécution des obligations contractées envers elles par la République du Mexique, se sont entendues pour conclure entre elles une Convention dans le but de combiner leur action commune, et, à cet effet, ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable Jean Comte Russell, Vicomte Amberley de Amberley et Ardsalla, Pair du Royaume Uni, Conseiller de Sa Majesté Britannique en Son Conseil Privé, Principal Secrétaire d'Etat de Sa Majesté pour les Affaires Etrangères ;

Sa Majesté la Reine d'Espagne, Don Xavier de Isturiz y Montero, Chevalier de l'Ordre insigne du Toison d'Or, Grand-Croix de l'Ordre Royal et distingué de Charles III, de l'Ordre Impérial de la Légion d'Honneur de France, des Ordres de la Conception de Villaviciosa et Christ de Portugal, Sénateur du Royaume, ancien Président du Conseil des Ministres et Premier Secrétaire d'Etat de Sa Majesté Catholique, et Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Britannique ;

Et Sa Majesté l'Empereur des Français, Son Excellence le Comte de Flahault de la Billarderie, Sénateur, Général de Division, Grand-Croix de la Légion d'Honneur, Ambassadeur Extraordinaire de Sa Majesté Impériale près Sa Majesté Britannique ;

Lesquels, après s'être communiqué réciproquement leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont tombés d'accord pour arrêter les Articles suivants :

ART. I. Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, Sa Majesté la Reine d'Espagne, et Sa Majesté l'Empereur des Français, s'engagent à arrêter aussitôt après la signature de la présente Convention, les dispositions nécessaires pour envoyer sur les côtes du Mexique des forces de terre et de mer combinées dont l'effectif sera déterminé par un échange ultérieur de communications entre leurs Gouvernements, mais dont l'ensemble devra être suffisant pour pouvoir

\* Promulgated by Decree of Emperor of the French, of November 20, 1861.

† Ratifications exchanged at London, November 15, 1861.



saisir et occuper les différentes forteresses et positions militaires du littoral Mexicain.

Les Commandants des forces alliées seront, en outre, autorisés à accomplir les autres opérations qui seraient jugées, sur les lieux, les plus propres à réaliser le but spécifié dans le préambule de la présente Convention, et notamment à assurer la sécurité des résidents étrangers.

Toutes les mesures dont il s'agit dans cet Article seront prises, au nom et pour le compte des Hautes Parties Contractantes, sans acception de la nationalité particulière des forces employées à les exécuter.

II. Les Hautes Parties Contractantes s'engagent à ne rechercher pour elles-mêmes, dans l'emploi des mesures coercitives prévues par la présente Convention, aucune acquisition de territoire ni aucun avantage particulier, et à n'exercer, dans les affaires intérieures du Mexique, aucune influence de nature à porter atteinte au droit de la nation Mexicaine de choisir et de constituer librement la forme de son Gouvernement.

III. Une Commission composée de 3 Commissaires, un nommé par chacune des Puissances Contractantes, sera établi avec plein pouvoir de statuer sur toutes les questions que pourrait soulever l'emploi ou la distribution des sommes d'argent qui seront recouvrées au Mexique, en ayant égard aux droits respectifs des 3 Parties Contractantes.

IV. Les Hautes Parties Contractantes désirant, en outre, que les mesures qu'elles ont l'intention d'adopter n'aient pas un caractère exclusif, et sachant que le Gouvernement des Etats Unis a, de son côté, des réclamations à faire valoir, comme elles, contre la République Mexicaine, conviennent qu'aussitôt après la signature de la présente Convention, il en sera communiqué une copie au Gouvernement des Etats Unis; que ce Gouvernement sera invité à y accéder; et qu'en prévision de cette accession leurs Ministres respectifs à Washington seront immédiatement munis de pleins pouvoirs à l'effet de conclure et de signer, collectivement ou séparément, avec le Plénipotentiaire désigné par le Président des Etats Unis, une Convention identique, sauf suppression du présent Article, à celle qu'elles signent à la date de ce jour. Mais comme les Hautes Parties Contractantes s'exposeraient, en apportant quelque retard à la mise à exécution des Articles I et II de la présente Convention, à manquer le but qu'elles désirent atteindre, elles sont tombées d'accord de ne pas différer, en vue d'obtenir l'accession du Gouvernement des Etats Unis, le commencement des opérations sus-mentionnées au delà de l'époque à laquelle leurs forces combinées pourront être réunies dans les parages de Vera Cruz.

V. La présente Convention sera ratifiée, et les ratifications en seront échangées à Londres, dans le délai de 15 jours.

En foi de quoi les Plénipotentiaires respectifs l'ont signé, et y ont apposé le sceau de leurs armes.

Fait à Londres, en triple original, le 31ème jour du mois d'Octobre, de l'an de grace 1861.

(L.S.) RUSSELL.

(L.S.) XAVIER DE ISTURIZ.

(L.S.) FLAHAULT.

ADDITIONAL ARTICLES *to the detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France for the Execution of the Postal Convention of 24th September, 1856.\* Signed, in the English and French Languages, at London, November 25, 1861.*  
*Paris, November 27,*

THE Postmaster-General of the United Kingdom of Great Britain and Ireland, on the one part, and the Counsellor of State, Director-General of the French Post Office, on the other part,

With reference to the Postal Convention concluded between France and Great Britain the 24th September, 1856;

With reference also to the Convention, additional to the said Convention, signed at London the 2nd July, 1861;†

With reference further to the Declaration relative to letters forwarded from Halifax, Huddersfield, Leeds, and Bradford for France, and the countries the correspondence of which is transmitted through France by means of mails arriving in London in the afternoon between half-past five and half-past seven o'clock, signed on the one part by his Excellency the Minister, Secretary of State for Foreign Affairs to His Majesty the Emperor of the French, and on the other part by his Excellency the Ambassador Extraordinary and Plenipotentiary of Her Britannic Majesty to His Majesty the Emperor of the French, and exchanged at Paris the 14th November, 1861;

And with reference to the Detailed Regulations arranged between the Post Office of France and the Post Office of Great Britain for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London the 12th November, 1856;‡ have agreed as follows:

ART. I. The patterns of merchandize which shall be sent in virtue of the Additional Convention of the 2nd July, 1861, whether from France and Algeria to the United Kingdom of Great Britain and Ireland and to the Island of Malta, or from the United Kingdom of Great Britain and Ireland, and from the Island of Malta to France and Algeria, must not bear any other writing than the address of the person for whom they are intended, a manufacturer's or trade mark, numbers and prices.

\* See Vol. 10. Page 108. † See Vol. 11. Page 211. ‡ See Page 431.

Every packet of patterns which shall contain any other manuscript marks shall be considered and treated as a letter.

II. The two Post Offices mutually admit that the stipulations of Articles I and II of the Convention above mentioned, which authorize the transmission at a reduced rate, of papers in manuscript under bands, are applicable to proof sheets bearing typographical corrections, to manuscripts attached to such proofs and having reference to them, to parts or sheets of music in manuscript, and in general to all documents on paper, vellum, cardboard, or parchment, whether printed, engraved, lithographed, or photographed, which bear writing, but which do not contain any letter or note of the nature of a letter, or which could serve as such.

III. Newspapers, gazettes, periodical works, pamphlets, sheets of music, catalogues, prospectuses, announcements, and notices of various kinds whether printed, engraved, or lithographed, which shall be sent from the United Kingdom of Great Britain and Ireland to the Grand Duchy of Baden, the Kingdom of Wurtemberg, the Principalities of Hohenzollern, the Kingdom of Bavaria, and the Austrian Empire, by way of France, must be prepaid to destination.

Printed papers of every kind, which the British Post Office shall deliver to the French Post Office for transmission through the Austrian Post Office to the Ionian Islands, Moldavia, Wallachia, Alexandretta, Beyrout, Constantinople, the Dardanelles, Gallipoli, Jaffa, Lattakia, Mersina, Mytylene, Rhodes, Salonica, Samsoun, Scutari in Asia, Sinope, Smyrna, Sulina, Trebizond, Tripoli in Syria, Tulcha, Varna, Volo, Ineboli, Jerusalem, Adrianople, Antivari, Burghas, Kaiffa, Candia, Canea, Cavalla, Chio, Durazzo, Janina, Larnaca, Phillipopoli, Preveza, Retimo, Rutshuk, Seres, Sophia, Tenedos, and Valona, shall in like manner be prepaid to destination.

IV. The British Post Office shall pay to the French Post Office for the newspapers and other printed papers mentioned in the preceding Article, as follows, viz.:

1. For those for the Grand Duchy of Baden, for the Kingdom of Wurtemberg, the Principalities of Hohenzollern, the Kingdom of Bavaria, and the Austrian Empire, the sum of 1 franc 5 centimes per pound British, net weight.

2. For those for the Ionian Islands, Moldavia, Wallachia, and the towns of the Ottoman Empire enumerated in the said Article, the sum of 1 franc 60 centimes per pound British, net weight.

V. The letter bills and acknowledgments of receipt from the office at Paris, from the office at Calais, and from the travelling offices from Paris to Calais for the offices at London and Dover and for the travelling offices from Dover to London, from the office at Boulogne for the office at London, and for the travelling offices from Dover to London, from the office at

Dieppe for the office at London, from the office at Dunkirk for the office at London, and from the office at Havre for the offices at London and Southampton shall be according to the patterns M (No. 1) and M (No. 2) annexed to the present Articles.

The letter bills and acknowledgments of receipt from the office at Boulogne for the offices at Dover and Folkstone, from the offices at Cherbourg, Granville, and Saint Malo, for the offices at Guernsey and Jersey, and from the office at Marseilles for the office at Dover, shall be according to the pattern N.

The letter bills and acknowledgments of receipt from the travelling office from Lyons to Marseilles, and from the office at Marseilles for the office at Malta, shall be according to the pattern O.

The letter bills and acknowledgments of receipt from the travelling office from Lyons to Marseilles, from the office at Marseilles and from the French office established at Alexandria for the British office at Alexandria, shall be according to the pattern P.

The letter bills and acknowledgments of receipt from the French offices established at Alexandria, Constantinople, the Dardanelles, and Smyrna for the office at Malta shall be according to the pattern Q.

The letter bills and acknowledgments of receipt from the Post Office agents on board the packets in the Mediterranean for the office at Malta shall be according to the pattern R.

The letter bills and acknowledgments of receipt from the office at Marseilles and from the travelling office from Lyons to Marseilles for the offices at Aden, Bombay, Madras, Calcutta, Point de Galle, Penang, Singapore, Hong Kong, and Port Louis shall be according to the pattern S.

The forms of letter bills and acknowledgments of receipt which the British offices of exchange shall use in their communications with the French offices of exchange shall agree with the patterns above described.

VI. It is agreed that the stipulations of the Additional Convention of the 2nd July, 1861, and of the present Regulations shall be carried into effect on the 1st January, 1862.

VII. The present Articles shall be considered as additional to the detailed Regulations arranged between the French Post Office and the British Post Office for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London the 12th November, 1856.

Done in duplicate, and signed at London the 25th day of the month of November, 1861, and at Paris the 27th of the same month.

(L.S.) STANLEY OF ALDERLEY.  
(L.S.) ED. VANDAL.

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ADDITIONAL ARTICLES *to the detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France for the execution of the Postal Convention of 24th September, 1856.\* Signed in the English and French Languages, at London, January 3, 1862.*  
*Paris, January 6,*

THE Postmaster-General of the United Kingdom of Great Britain and Ireland, on the one part, and the Counsellor of State, Director-General of the French Post Office, on the other part,

With reference to Articles XXXI and XXXVI of the Postal Convention concluded between France and Great Britain, the 24th September, 1856;

With reference also to the detailed Regulations arranged between the French Post Office and the Post Office of Great Britain for the execution of the said Convention, signed at Paris the 27th October, 1856, and at London the 12th November, 1856;†

Have agreed as follows:

Art. I. There shall be a direct exchange of closed mails by means of British packets and by way of the Isthmus of Suez, between the office of Marseilles and the travelling office from Lyons to Marseilles, on the one part, and the offices of Melbourne, Geelong, Sydney, Brisbane, King George's Sound, Auckland and Wellington on the other part, as well as for ordinary letters, registered letters, and printed papers of all kinds exchanged by the said route between the inhabitants of France and Algeria, and the inhabitants of the British possessions of Victoria, New South Wales, Western Australia, Queensland, and New Zealand, as for articles of a like nature exchanged between the inhabitants of the foreign countries, the correspondence of which is transmitted through France, and the inhabitants of the above-named British possessions.

II. The persons who wish to send ordinary letters either from France and Algeria to the British possessions of Victoria, New South Wales, Western Australia, Queensland, and New Zealand, or from the said possessions to France and Algeria, shall have the option of leaving the entire postage of those letters to be paid by the persons to whom they are addressed, or of paying in advance the postage to the place of destination.

The Post Office of France shall pay to the British Post Office as well for paid letters forwarded from France and Algeria addressed to the above-named British possessions, as for unpaid letters forwarded from the said possessions addressed to France and Algeria, the sum of 1 franc 62 centimes and four-tenths of a centime per 30 grammes of letters net

\* See Vol. 10. Page 108.

† See Page 431.

weight. On its side, the British Post Office shall pay to the Post Office of France for paid letters forwarded from the British possessions of Victoria, New South Wales, Western Australia, Queensland, and New Zealand addressed to France and Algeria, the same rate as for paid letters from the British colonies in America; and for unpaid letters forwarded from France and Algeria, addressed to the said British possessions, the same rate as for unpaid letters addressed to the British colonies of America.

III. The ordinary letters coming from or addressed to the foreign countries, the correspondence of which is transmitted through France, which shall be comprised in the closed mails referred to in Article I preceding, shall be subject to the same conditions with respect to prepayment as the letters exchanged between those same foreign countries and the island of Malta by way of France.

The Post Office of France shall pay to the Post Office of Great Britain for such of the said letters as shall be fully prepaid by the inhabitants of the foreign countries, the correspondence of which is transmitted through France, the same rate as for letters coming from or addressed to France

As to the rate to be paid by the British Post Office to the Post Office of France as well for paid letters forwarded from the British possessions of Victoria, New South Wales, Western Australia, Queensland, and New Zealand addressed to the foreign countries the correspondence of which is transmitted through France, as for unpaid letters or letters charged with a French transit rate forwarded from the said countries, addressed to the above-named British possessions, it shall be the same as for letters exchanged between those same foreign countries and the island of Malta by way of France.

IV. The office of Marseilles and the travelling office from Lyons to Marseilles may deliver to the British offices of exchange named in Article I preceding, registered letters addressed to the British possessions of Victoria, New South Wales, Western Australia, Queensland, and New Zealand.

On their side the above-named British offices of exchange may deliver to the office of Marseilles and to the travelling office from Marseilles to Lyons registered letters addressed as well to France and Algeria as to the foreign countries to which the inhabitants of the above-mentioned British possessions shall have the right of forwarding by way of France ordinary letters paid to destination.

V. The forms of letter-bills, and acknowledgments of receipt of which the office of Marseilles and the travelling office from Lyons to Marseilles shall make use in their communications with the offices of Melbourne, Geelong, Sydney, Brisbane, King George's Sound, Auckland, and Wellington shall be according

to the pattern S annexed to the Additional Articles to the detailed Regulations arranged between the Post Office of France and the Post Office of Great Britain for the execution of the Postal Convention of the 24th September, 1856, signed at London the 25th November, 1861, and at Paris the 27th of the same month.

The forms of letter-bills and acknowledgments of receipt of which the offices of Melbourne, Geelong, Sydney, Brisbane, King George's Sound, Auckland, and Wellington shall make use in their communications with the office of Marseilles and with the travelling office from Marseilles to Lyons shall agree with the pattern above referred to.

VI. The Provisions of the Articles XXIX, XXX, XXXII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XLI, XLV, XLVI, XLVII, XLVIII, and XLIX of the detailed Regulations arranged between the Post Office of France and the British Post Office, for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London the 12th November, 1856, shall be applicable to the correspondence coming from or addressed to the British possessions of Victoria, New South Wales, Western Australia, Queensland, and New Zealand.

VII. The present Articles shall be considered as additional to the detailed regulations referred to in the preceding Article, and shall be carried into effect on the 1st day of April, 1862.

Done in duplicate, and signed at London on the 3rd day of January, 1862, and at Paris the 6th of the same month.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) ED. VANDAL.

ADDITIONAL ARTICLES to the detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France for the Execution of the Postal Convention of 24th September, 1856.\*—Signed, in the English and French Languages, at London, June 19, and at Paris, June 23, 1863.

THE Postmaster-General of the United Kingdom of Great Britain and Ireland, on the one part, and the Counsellor of State, Director-General of the French Post Office, on the other part,

With reference to Articles XXXI, XXXII, and XXXVI of the Postal Convention concluded between Great Britain and France the 24th September, 1856;

\* See Vol. 10. Page 108.

With reference also to the detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France for the execution of the said Convention, signed at Paris the 27th October, 1856, and at London the 12th November, 1856:\*

And with reference to the additional Articles to the detailed Regulations above-mentioned, signed at London the 16th May, 1860, and at Paris the 19th of the same month:†

Have agreed as follows:

ART. I. There shall be an exchange of letters and printed papers in closed mails by means of French mail packets, and by way of the Isthmus of Suez, between the office of Marseilles and the travelling office from Lyons to Marseilles, on the one part, and the offices of Aden, Madras, Calcutta, Point de Galle, Singapore, and Hong Kong, on the other part.

In like manner there shall be an exchange of letters and printed papers, viz.:

1. Between the Post Office agents on board the French mail packets plying between Suez and Shanghai, on the one part, and the offices of Aden, Point de Galle, Singapore, and Hong Kong, on the other part.

2. Between the Post Office agent on board the French mail packet plying between Point de Galle and Calcutta, on the one part, and the offices of Point de Galle, Madras, and Calcutta, on the other part.

II. The regulations which settle the direction, the conditions of prepayment, and the postage of the letters and printed papers comprised in the mails which the office of Marseilles and the travelling office from Lyons to Marseilles exchange with the British offices of Aden, Madras, Calcutta, Point de Galle, Singapore, and Hong Kong, by way of Suez and by means of the British packets, shall be applicable to the letters and printed papers which the office of Marseilles and the travelling office from Lyons to Marseilles shall exchange with the same British offices by way of Suez, and by means of the French mail packets.

III. The mails from the Post Office agents on board the French mail-packets on the Indo-China lines, for the British offices established in the ports served by those packets, and reciprocally the mails from the said British offices for the Post Office agents above-mentioned, shall comprise the letters, the printed papers, and the closed mails specified in Table A annexed to the present Articles.

IV. The Post Office of France shall pay to the British Post Office, as well for paid letters forwarded from France and Algeria, addressed to the British possessions in Asia, by means

\* See Page 431.

† See Page 453.



of French mail-packets, as for unpaid letters forwarded from the said possessions for France and Algeria, by means of the same packets, the sum of 40 centimes per 30 grammes, net weight.

V. The British Post Office shall pay to the Post Office of France, as well for paid letters forwarded from the British possessions in Asia, addressed to France and Algeria, by means of French mail-packets, as for unpaid letters forwarded from France and Algeria, addressed to the British possessions in Asia, by means of the same packets, viz.:

1. For paid letters addressed to France and Algeria, the sum of 2 francs  $22\frac{4}{10}$  centimes per ounce British, net weight.

2. For unpaid letters, originating in France and Algeria, the sum of 3 francs  $22\frac{4}{10}$  centimes per ounce British net weight.

VI. The Post Office of France shall pay to the Post Office of Great Britain for such of the letters despatched from or addressed to the countries the correspondence of which is transmitted through France, as shall be comprised in the closed mails referred to in Article I preceding, and of which the postage shall be wholly paid by the inhabitants of the foreign countries the correspondence of which is transmitted through France, the same rate as for letters despatched from or addressed to France.

VII. The British Post Office shall pay to the Post Office of France as well for ordinary paid letters forwarded from the British possessions in Asia addressed to the foreign countries, the correspondence of which is transmitted through France by means of the French mail-packets, as for unpaid letters or letters charged with a French transit rate forwarded from the said countries addressed to the British possessions in Asia by means of the same packets, the sum of 1 franc 22 centimes and four-tenths of a centime per ounce British, net weight, in addition to the rates fixed for letters of the same nature, origin, and destination, which are forwarded by means of the British mail-packets.

VIII. The letters from the United Kingdom of Great Britain and Ireland for Pondicherry, Saigon, and Shanghai, and reciprocally the letters from Pondicherry, Saigon, and Shanghai for the United Kingdom of Great Britain and Ireland, which shall be forwarded in ordinary mails by way of France, may be mutually delivered either unpaid or paid to destination.

IX. The British Post Office shall pay to the Post Office of France, as well for paid letters forwarded from the United Kingdom of Great Britain and Ireland, addressed to Pondicherry, Saigon, and Shanghai, as for unpaid letters forwarded from Pondicherry, Saigon, and Shanghai, addressed to the United Kingdom of Great Britain and Ireland, the sum of 2 francs 55 centimes per ounce British, net weight.

X. The Post Office of France shall pay to the British Post Office, as well for paid letters forwarded from Pondicherry, Saigon, and Shanghai, addressed to the United Kingdom of Great Britain and Ireland, as for unpaid letters forwarded from the United Kingdom of Great Britain and Ireland, addressed to Pondicherry, Saigon, and Shanghai, viz.:

1. For paid letters addressed to the United Kingdom of Great Britain and Ireland the sum of 60 centimes per 30 grammes, net weight.

2. For unpaid letters originating in the United Kingdom of Great Britain and Ireland the sum of 1 franc 20 centimes per 30 grammes, net weight.

XI. The letters which shall be exchanged by means of the French mail-packets of the Indo-China lines between the inhabitants of the British possessions, served by those packets, and the inhabitants of Pondicherry, Saigon, and Shanghai, may be mutually delivered either unpaid or paid to destination.

XII. The British Post Office shall pay to the Post Office of France, as well for paid letters forwarded from the British possessions, referred to in the preceding Article, for Pondicherry, Saigon, and Shanghai, as for unpaid letters forwarded from Pondicherry, Saigon, and Shanghai, addressed to the said British possessions, the sum of 1 franc 20 centimes per ounce British, net weight.

XIII. The Post Office of France shall pay to the British Post Office, as well for paid letters forwarded from Pondicherry, Saigon, and Shanghai, addressed to the British possessions in Asia, as for unpaid letters forwarded from the British possessions in Asia, addressed to Pondicherry, Saigon, and Shanghai, the sum of 40 centimes per 30 grammes, net weight.

XIV. Independently of the rates of postage fixed by Articles XXIV and XXV of the Convention of the 24th September, 1856, the Post Office of Great Britain shall pay to the Post Office of France, for the letters and printed papers comprised in the closed mails which the said Post Office of Great Britain shall forward or receive, by means of the French mail-packets and by way of the Isthmus of Suez, the sum of 40 centimes per pound British, of letters or printed papers, net weight, when the conveyance of the said mails across the Isthmus of Suez shall be effected at the expense of the Post Office of France.

XV. The forms of letter-bills and acknowledgments of receipt of which the office of Marseilles and the travelling office from Lyons to Marseilles shall make use in their communications with the offices of Aden, Madras, Calcutta, Point de Galle, Singapore and Hong Kong, to verify the results of the transmission of the correspondence forwarded by means of

the French mail-packets, shall be according to the pattern B, annexed to the present Articles.

The forms of letter-bills and acknowledgments of receipt of which the Post Office agents on board the French mail-packets on the Indo-China lines shall make use in their communications with the offices of Aden, Madras, Calcutta, Point de Galle, Singapore, and Hong Kong, shall be according to the pattern C, in like manner annexed to the present Articles.

The forms of letter-bills and acknowledgments of receipt of which the offices of Aden, Madras, Calcutta, Point de Galle, Singapore, and Hong Kong shall make use in their communications with the office of Marseilles with the travelling office from Marseilles to Lyons, and with the Post Office agents on board the French mail-packets of the Indo-China lines to verify the results of the transmission of the correspondence carried by the said packets, shall agree with the patterns above referred to.

XVI. All the regulations concerning ordinary or registered letters and printed papers comprised in the mails exchanged between the French Offices and the British Offices in Asia, by way of Suez and by means of British packets, which are not contrary to the present Articles, shall be applicable to articles of the same nature comprised in the mails which the office of Marseilles, the travelling office from Lyons to Marseilles, and the Post Office agents on board the French mail-packets of the Indo-China lines, shall exchange by means of those packets, with the offices of Aden, Madras, Calcutta, Point de Galle, Singapore, and Hong Kong.

XVII. The present Articles shall be considered as additional to the detailed Regulations arranged between the Post Office of France and the Post Office of Great Britain for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London on the 12th November, 1856, and shall be carried into effect on the 1st day of August, 1863.

Done in duplicate, and signed at London the 19th day of June, 1863, and at Paris the 23rd day of the same month.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) ED. VANDAL.

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(A.)—TABLE showing the origin and destination of Letters, Printed Papers, and Packets on the Indo-China Lines and the British Offices

Despatching Agent. 1.	Office to which Addressed. 2.	Description of Articles to be included in the Mail from the Agent named in the First Column for the Office named in the Second Column. 3.
† 1. MAILS FROM THE FRENCH AGENTS.		
Post Office Agents on board the packets proceeding	From Suez to Hong Kong {	Aden ... { Correspondence from places in the Mediterranean and closed Mails from France and Great Britain for Aden.
		Point de Galle ... { Correspondence from places in the Mediterranean and closed Mails from France, Great Britain, and Aden, for the Island of Ceylon.
		Singapore ... { Correspondence from places in the Mediterranean and from Pondicherry, and closed Mails from France, Great Britain, Aden, Point de Galle, Calcutta, and Madras for Singapore.
		Hong Kong { Correspondence from places in the Mediterranean, Pondicherry, and Cochin China, and closed Mails from France, Great Britain, Aden, Point de Galle, Calcutta Madras, and Singapore for Hong Kong.
	From Point de Galle to Calcutta ... {	Madras ... { Correspondence from places in the Mediterranean, Shanghai, Cochin China, and Pondicherry, closed Mails from France, Great Britain, Aden, Point de Galle, Hong Kong, and Singapore, for the presidencies of Madras and Bombay, and closed Mails from the French Offices or Agents for the French establishments of Mahé, Karikal, and Yanaou.
		Calcutta ... { Correspondence from places in the Mediterranean, Shanghai, Cochin China, and Pondicherry, closed Mails from France, Great Britain, Aden, Point de Galle, Hong Kong, Singapore, and Madras, for the Presidency of Bengal, and closed Mails from the French Offices or Agents for the French Establishment of Chandernagor.
	From Shanghai to Hong Kong {	Hong Kong Correspondence from Shanghai for Hong Kong.
		Singapore ... { Correspondence from Shanghai and Cochin China, and closed Mails from Hong Kong for Singapore.
	From Hong Kong to Suez ... {	Point de Galle ... { Correspondence from Shanghai and Cochin China, and closed Mails from Hong Kong and Singapore for the Island of Ceylon.
		Aden ... { Correspondence from Shanghai, Cochin China, and Pondicherry, and closed Mails from Hong Kong, Singapore, Point de Galle, Calcutta, and Madras for Aden.
	From Calcutta to Point de Galle ... {	Madras ... Closed Mails from Calcutta for Madras.
		Point de Galle ... { Correspondence from Pondicherry for the Island of Ceylon, and closed Mails from Calcutta and Madras for Point de Galle.



closed Mails exchanged between the Post Office Agents on board the French Mail-established in the Ports served by the said Packets.

Despatching Office.	Agent to whom addressed.	Description of Articles to be included in the Mail from the Office named in the Fourth Column for the Agent named in the Fifth Column.
4.	3.	6.

### § MAILS FROM THE BRITISH OFFICES.

Hong Kong...	Post Office Agent on board the packet proceeding ...	From Hong Kong to Shanghai ...	Correspondence from Hong Kong for Shanghai.
		From Hong Kong to Suez ...	Correspondence from Hong Kong for Cochin China, Pondicherry, and places in the Mediterranean, and closed Mails from Hong Kong for Singapore, Point de Galle, Madras, Calcutta, Aden, France, and Great Britain.
Singapore ...	Post Office Agent on board the packet proceeding ...	From Suez to Hong Kong	Correspondence from Singapore for Cochin China and Shanghai, and closed Mails from Singapore for Hong Kong.
		From Hong Kong to Suez ...	Correspondence from Singapore for Pondicherry and places in the Mediterranean, and closed Mails from Singapore for Point de Galle, Madras, Calcutta, Aden, France, and Great Britain.
Point de Galle ...	Post Office Agent on board the packet proceeding ...	From Suez to Hong Kong	Correspondence from the Island of Ceylon for Cochin China and Shanghai, and closed Mails from Point de Galle for Singapore and Hong Kong.
		From Point de Galle to Calcutta ...	Correspondence from the Island of Ceylon for Pondicherry, and closed Mails from Point de Galle for Madras and Calcutta.
		From Hong Kong to Suez ...	Correspondence from the Island of Ceylon for places in the Mediterranean, and closed Mails from Point de Galle for Aden, France, and Great Britain.
Calcutta ...	Post Office Agent on board the packet proceeding from Calcutta to Point de Galle...		Correspondence received at Calcutta for Pondicherry, Cochin China, Shanghai, and places in the Mediterranean, closed Mails from Calcutta for Madras, Point de Galle, Singapore, Hong Kong, Aden, France, and Great Britain, and closed Mails from Chandernagor for the French Agents or Offices.
Madras...	Post Office Agent on board the packet proceeding ...	From Point de Galle to Calcutta ...	Closed Mails from Madras for Calcutta.
		From Calcutta to Point de Galle ...	Correspondence received at Madras for Pondicherry, Cochin China, Shanghai, and places in the Mediterranean, closed Mails from Madras for Point de Galle, Singapore, Hong Kong, Aden, France, and Great Britain, and closed Mails from Mahé, Karikal, and Yanaou for the French Agents or Offices.
Aden ...	Post Office Agent on board the packet proceeding ...	From Suez to Hong Kong	Correspondence from Aden for Pondicherry, Cochin China, and Shanghai, and closed Mails from Aden for Point de Galle, Madras, Calcutta, Singapore, and Hong Kong.
		From Hong Kong to Suez	Correspondence from Aden for places in the Mediterranean, and closed Mails from Aden for France and Great Britain.

**ADDITIONAL ARTICLES** *to the Detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France for the Execution of the Postal Convention of the 24th September, 1856.\* Signed, in the English and French Languages, at <sup>London, June 9,</sup> <sub>Paris, June 13,</sub> 1864.*

THE Postmaster-General of the United Kingdom of Great Britain and Ireland, on the one part, and the Counsellor of State, Director-General of the French Post Office, on the other part,

With reference to the Postal Convention concluded between Great Britain and France the 24th September, 1856;

With reference also to the detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France, for the execution of the said Convention, signed at Paris the 27th October, 1856, and at London the 12th November, 1856;† have agreed as follows:

ART. I. Newspapers, gazettes, periodical works, stitched books, pamphlets, sheets of music, catalogues, prospectuses, announcements, and notices of various kinds, whether printed, engraved, or lithographed, which shall be sent from the United Kingdom of Great Britain and Ireland to the Kingdom of the Netherlands, by way of France, must be prepaid to destination.

II. The British Post Office shall pay to the French Post Office for the newspapers and other printed papers mentioned in the preceding Article the sum of 1 franc 5 centimes per pound British, net weight.

III. The forms of letter-bills and acknowledgments of receipt upon which shall be entered the printed papers of every kind from the United Kingdom of Great Britain and Ireland for the Netherlands, pre-paid to destination, shall agree with the pattern acknowledgment of receipt M, No. 2, annexed to the present Articles.

IV. It is agreed that the stipulations of the present Articles shall be carried into effect on the 1st July, 1864.

V. The present Articles shall be considered as additional to the detailed Regulations arranged between the French Post Office and the British Post Office for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London the 12th November, 1856.

Done in duplicate, and signed at London the 9th day of the month of June, 1864, and at Paris the 13th day of the same month.

(L.S.) STANLEY OF ALDERLEY.  
(L.S.) E. VANDAL.

\* See Vol. 10. Page 136.

† See Page 431.

ADDITIONAL ARTICLES *to the Detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France for the Execution of the Postal Convention of 24th September, 1856.*\* *Signed in the English and French Languages, at* <sup>London, September 18,</sup> ~~Paris, September 22,~~ 1864.

THE Postmaster-General of the United Kingdom of Great Britain and Ireland, on the one part, and the Director-General of the French Post Office, on the other part,

With reference to Articles XXXI and XXXVI of the Postal Convention concluded between France and Great Britain the 24th September, 1856;

With reference also to the detailed Regulations arranged between the French Post Office and the Post Office of Great Britain for the execution of the said Convention, signed at Paris the 27th October, 1856, and at London the 12th November, 1856;† have agreed as follows:

ART. I. There shall be a direct exchange of letters and printed papers, in closed mails, between the Post Office agent on board the French mail-packet plying between Martinique and Trinidad, on the one part, and the Post Offices of St. Lucia, St. Vincent, Grenada, and Trinidad served by that packet, on the other part.

II. The persons who wish to send ordinary letters, either from France and Algeria to the Islands of St. Lucia, St. Vincent, Grenada, and Trinidad, or from the Islands of St. Lucia, St. Vincent, Grenada, and Trinidad to France and Algeria, shall have the option of leaving the entire postage of those letters to be paid by the persons to whom they are addressed, or of paying in advance the postage to the place of destination.

The Post Office of France shall pay to the British Post Office, as well for paid letters forwarded from France and Algeria addressed to the Islands of St. Lucia, St. Vincent, Grenada, and Trinidad, as for unpaid letters forwarded from the said islands addressed to France and Algeria, the sum of 40 centimes per 30 grammes of letters, net weight. On its side, the British Post Office shall pay to the Post Office of France for paid letters forwarded from the Islands of St. Lucia, St. Vincent, Grenada, and Trinidad, addressed to France and Algeria, the sum of 2 francs 20 centimes per ounce British, net weight; and for unpaid letters forwarded from France and Algeria addressed to the islands of St. Lucia, St. Vincent, Grenada, and Trinidad, the sum of 3 francs 20 centimes per ounce British, net weight.

III. The ordinary letters coming from or addressed to the

\* See Vol. 10. Page 136.

† See Page 431.

foreign countries, the correspondence of which is transmitted through France which shall be comprised in the closed mails referred to in Article I preceding, shall be subject to the same conditions with respect to prepayment as the letters exchanged between those same foreign countries and the United Kingdom of Great Britain and Ireland, by way of France.

The Post Office of France shall pay to the Post Office of Great Britain for those of the said letters the whole postage of which shall be paid by the inhabitants of the foreign countries, the correspondence of which is transmitted through France, the same rate as for letters coming from or addressed to France.

As to the rate to be paid by the British Post Office to the Post Office of France, as well for paid letters forwarded from the Islands of St. Lucia, St. Vincent, Grenada, and Trinidad addressed to the foreign countries the correspondence of which is transmitted through France, as for unpaid letters, or letters charged with a French transit rate, forwarded from the said countries, addressed to the Islands of St. Lucia, St. Vincent, Grenada, and Trinidad, it shall be composed, viz.:

1. Of the rate paid by the British Post Office to the Post Office of France for the letters exchanged between those same foreign countries and the United Kingdom of Great Britain and Ireland, by way of France;

2. Of the sum of 1 franc 20 centimes per ounce British, net weight.

IV. The letters which shall be exchanged by means of the French mail-packet, of the line from Martinique to Trinidad, between the inhabitants of the British colonies served by that packet and the inhabitants of Martinique and Guadeloupe, may be mutually delivered either unpaid or paid to destination.

V. The British Post Office shall pay to the Post Office of France, as well for paid letters forwarded from the British colonies, referred to in the preceding Article, for Martinique and Guadeloupe, as for unpaid letters forwarded from Martinique and Guadeloupe addressed to the said British colonies, the sum of 1 franc 20 centimes per ounce British, net weight.

VI. The Post Office of France shall pay to the British Post Office, as well for paid letters forwarded from Martinique and Guadeloupe, addressed to St. Lucia, St. Vincent, Grenada, and Trinidad, as for unpaid letters forwarded from the before-mentioned British colonies addressed to Martinique and Guadeloupe, the sum of 40 centimes per 30 grammes, net weight.

VII. The mails from the Post Office agent on board the French mail packet of the line from Martinique to Trinidad for the British offices established in the ports served by that packet; and reciprocally, the mails from the said British offices for the Post Office agent above mentioned, shall comprise the



letters, the printed papers, and the closed mails specified in Table A, annexed to the present Articles.

VIII. The Post Office agent on board the French mail packet of the line from Martinique to Trinidad may deliver to the British offices established in the ports of the Islands of St. Lucia, St. Vincent, Grenada, and Trinidad, served by that packet, registered letters addressed to the said islands.

On their side, the British Offices of the ports served by the French mail packet of the line from Martinique to Trinidad may deliver to the Post Office agent on board the said packet registered letters, addressed as well to France and Algeria as to the foreign countries, to which the inhabitants of the Islands of St. Lucia, St. Vincent, Grenada, and Trinidad shall have the right of forwarding, by way of France, ordinary letters paid to destination.

IX. The forms of letter-bills and acknowledgments of receipt of which the Post Office agent on board the French mail-packet of the line from Martinique to Trinidad shall make use in his communications with the British Offices served by that packet, shall be according to the pattern B, annexed to the present Articles.

The forms of letter-bills and acknowledgments of receipts of which the before-mentioned British Offices shall make use in their communications with the Post Office agent on board the French mail-packet of the line from Martinique to Trinidad shall agree with the pattern above referred to.

X. The provisions of Articles XXIX, XXX, XXXII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XLI, XLV, XLVI, XLVII, XLVIII, and XLIX, of the detailed Regulations arranged between the Post Office of France and the British Post Office for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London the 12th November, 1856, are applicable to the correspondence coming from or addressed to the Islands of St. Lucia, St. Vincent, Grenada, and Trinidad.

XI. The present Articles shall be considered as additional to the detailed Regulations referred to in the preceding Article, and shall be carried into effect on the 1st day of November, 1864.

Done in duplicate, and signed at London the 18th day of September, 1864, and at Paris the 22nd day of the same month.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) E. VANDAL.

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(A).--TABLE showing the origin and destination of Letters, Printed Papers, and closed Mails exchanged between the Post Office Agent on board the French Mail Packet of the line from Martinique to Trinidad and the British Offices established in the Ports served by the said Packet.

Despatching Agent.	Office to which Addressed.	Description of Articles to be included in the Mail from the Agent named in the First Column for the Office named in the Second Column.	Despatching Office.	Agent to whom addressed.	Description of Articles to be included in the Mail from the Office named in the Fourth Column for the Agent named in the Fifth Column.
1.	2.	3.	4.	5.	6.
§ 1. MAILS FROM THE FRENCH AGENT.					
Post Office Agent on board the packet proceeding	St. Lucia ...	Correspondence from France, from countries the correspondence of which is sent through France, from Mexico, Cuba, Martinique, and Guadeloupe, and closed Mails from Great Britain for St. Lucia.	St. Lucia ...	Post Office Agent on board the packet proceeding	Closed Mails from St. Lucia for St. Vincent, Grenada, and Trinidad.
	St. Vincent	Correspondence from France, from countries the correspondence of which is sent through France, from Mexico, Cuba, Martinique, and Guadeloupe, and closed Mails from Great Britain and St. Lucia, for St. Vincent.	St. Vincent	From Martinique to Trinidad.	Correspondence from St. Lucia for Guadeloupe, Martinique, Cuba, Mexico, France, and countries the correspondence of which is sent through France, and closed Mails for Great Britain.
	Grenada ...	Correspondence from France, from countries the correspondence of which is sent through France, from Mexico, Cuba, Martinique, and Guadeloupe, and closed Mails from Great Britain, St. Lucia, and St. Vincent, for Grenada.	St. Vincent	From Martinique to Trinidad.	Closed Mails from St. Vincent for Grenada and Trinidad.
	Trinidad ...	Correspondence from France, from countries the correspondence of which is sent through France, from Mexico, Cuba, Martinique, and Guadeloupe, and closed Mails from Great Britain, St. Lucia, St. Vincent, and Grenada, for Trinidad.	Grenada ...	From Martinique to Trinidad.	Correspondence from St. Vincent for Guadeloupe, Martinique, Cuba, Mexico, France, and countries the correspondence of which is sent through France, and closed Mails for St. Lucia and Great Britain.
From Martinique to Trinidad.	Grenada .....	Closed Mails from Trinidad for Grenada.	Grenada ...	Post Office Agent on board the packet proceeding	Closed Mails from Grenada for Trinidad.
	St. Vincent	Closed Mails from Trinidad and Grenada, for St. Vincent.	Trinidad ...	From Martinique to Trinidad.	Correspondence from Grenada for Guadeloupe, Martinique, Cuba, Mexico, France, and countries the correspondence of which is sent through France, and closed Mails for St. Vincent, St. Lucia, and Great Britain.
From Trinidad to Martinique.	St. Lucia ...	Closed Mails from Trinidad, Grenada, and St. Vincent, for St. Lucia.	Trinidad ...	Post Office Agent on board the packet proceeding from Trinidad to Martinique.	Correspondence from Trinidad for Guadeloupe, Martinique, Cuba, Mexico, France, and countries the correspondence of which is sent through France, and closed Mails for Grenada, St. Vincent, St. Lucia, and Great Britain.

**ADDITIONAL ARTICLES** *to the Detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France, for the Execution of the Postal Convention of 24th September, 1856.\* Signed in the English and French Languages, at <sup>London, September 32,</sup><sub>Paris, September 23,</sub> 1864.*

THE Postmaster-General of the United Kingdom of Great Britain and Ireland, on the one part, and the Director-General of the French Post Office, on the other part:

With reference to Articles XXXI and XXXVI of the Postal Convention concluded between France and Great Britain, the 24th September, 1856;

With reference also to the detailed Regulations arranged between the French Post Office and the Post Office of Great Britain for the execution of the said Convention, signed at Paris the 27th October, 1856, and at London the 12th November, 1856;†

And with reference to the Additional Articles to the detailed Regulations above-mentioned, signed at London the 5th April, 1861‡, and at Paris the 8th of the same month;

Have agreed as follows:

ART. I. There shall be an exchange of letters and printed papers, in closed mails, by means of French mail-packets, and by way of the Isthmus of Suez, between the office of Marseilles and the travelling office from Lyons to Marseilles, on the one part, and the office of Port Louis, on the other part.

In like manner there shall be an exchange of letters and printed papers, in closed mails, between the Post Office agents on board the French mail-packets of the line from Suez to Réunion and Mauritius, on the one part, and the offices of Port Louis and Aden, on the other part.

II. The regulations which settle the direction, the conditions of prepayment, and the postage of the letters and printed papers comprised in the mails which the office of Marseilles and the travelling office from Lyons to Marseilles exchange with the British office of Port Louis by way of Suez, and by means of the British packets, shall be applicable to the letters and printed papers which the office of Marseilles and the travelling office from Lyons to Marseilles shall exchange with the same British office by way of Suez, and by means of the French mail-packets.

III. The mails from the Post Office agents on board the French mail-packets on the line from Suez to Réunion and Mauritius for the British offices of Port Louis and Aden, and reciprocally the mails from the said British offices for the Post Office agents above-mentioned, shall comprise the letters, the

\* See Vol. 10 Page 136.

† See Page 481.

‡ See Page 460.

printed papers, and the closed mails specified in the Table annexed to the present Articles.

IV. The Post Office of France shall pay to the British Post Office, as well for paid letters forwarded from France and Algeria addressed to the Island of Mauritius by means of French mail-packets, as for unpaid letters forwarded from the Island of Mauritius for France and Algeria by means of the same packets, the sum of 40 centimes per 30 grammes, net weight.

V. The British Post Office shall pay to the Post Office of France, as well for paid letters forwarded from the Island of Mauritius addressed to France and Algeria by means of French mail-packets, as for unpaid letters forwarded from France and Algeria addressed to the Island of Mauritius by means of the same packets, viz.:

1. For paid letters addressed to France and Algeria, the sum of 2 francs  $22\frac{4}{10}$  centimes per ounce British, net weight.

2. For unpaid letters originating in France and Algeria, the sum of 3 francs  $22\frac{4}{10}$  centimes per ounce British; net weight.

VI. The Post Office of France shall pay to the Post Office Great Britain for such of the letters despatched from or addressed to the countries, the correspondence of which is transmitted through France, as shall be comprised in the closed mails referred to in Article 1 preceding, and of which the postage shall be wholly paid by the inhabitants of the foreign countries, the correspondence of which is transmitted through France, the same rate as for letters despatched from or addressed to France.

VII. The British Post Office shall pay to the Post Office of France, as well for ordinary paid letters forwarded from the Island of Mauritius, addressed to the foreign countries the correspondence of which is transmitted through France by means of the French mail-packets, as for unpaid letters, or letters charged with a French transit rate, forwarded from the said countries, addressed to the Island of Mauritius, by means of the same packets, the sum of 1 franc  $22\frac{4}{10}$  centimes per ounce British, net weight, in addition to the rates fixed for letters of the same nature, origin, and destination which are forwarded by means of the British mail-packets.

VIII. The letters from the United Kingdom of Great Britain and Ireland for Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), and reciprocally the letters from Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), for the United Kingdom of Great Britain and Ireland, which shall be forwarded in ordinary mails by way of France, may be mutually delivered either unpaid or paid to destination.

IX. The British Post Office shall pay to the Post Office of



France, as well for paid letters forwarded from the United Kingdom of Great Britain and Ireland, addressed to Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), as for unpaid letters forwarded from Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), addressed to the United Kingdom of Great Britain and Ireland, the sum of 2 francs 55 centimes per ounce British, net weight.

X. The Post Office of France shall pay to the British Post Office, as well for paid letters forwarded from Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), addressed to the United Kingdom of Great Britain and Ireland, as for unpaid letters forwarded from the United Kingdom of Great Britain and Ireland, addressed to Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), viz.:

1. For paid letters addressed to the United Kingdom of Great Britain and Ireland the sum of 60 centimes per 30 grammes, net weight;

2. For unpaid letters originating in the United Kingdom of Great Britain and Ireland the sum of 1 franc 20 centimes per 30 grammes, net weight.

XI. The letters which shall be exchanged by means of the French mail-packets of the Indo-China lines between the inhabitants of the British possessions served by those packets and the inhabitants of Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), may be mutually delivered either unpaid or paid to destination.

XII. The British Post Office shall pay to the Post Office of France, as well for paid letters forwarded from the British possessions referred to in the preceding Article, for Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), as for unpaid letters forwarded from Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), addressed to the said British possessions, the sum of 1 franc 20 centimes per ounce British, net weight.

XIII. The Post Office of France shall pay to the British Post Office, as well for paid letters forwarded from Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), addressed to the British possessions in Asia and the Island of Mauritius, as for unpaid letters forwarded from the British possessions in Asia and the Island of Mauritius, addressed to Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), the sum of 40 centimes per 30 grammes, net weight.

XIV. The forms of letter-bills and acknowledgments of receipt of which the office of Marseilles and the travelling office from Lyons to Marseilles shall make use in their communications with the office of Port Louis, to verify the results of the transmission of the correspondence forwarded by means of the French mail-packets, shall be according to the pattern B,

annexed to the Additional Articles to the detailed Regulations for the execution of the Postal Convention of the 24th September, 1856, signed at London the 19th June, 1863,\* and at Paris the 23rd of the same month.

The forms of letter-bills and acknowledgments of receipt of which the Post Office agents on board the French mail-packets on the line from Suez to Réunion and Mauritius shall make use in their communications with the offices of Port Louis and Aden shall be according to the pattern C, in like manner annexed to the Articles mentioned in the preceding paragraph.

The forms of letter-bills and acknowledgments of receipt of which the before-mentioned British offices shall make use in their communications with the office of Marseilles with the travelling office from Marseilles to Lyons, and with the Post Office agents on board the French mail-packets on the line from Suez to Réunion and Mauritius, to verify the results of the transmission of the correspondence carried by the said packets, shall agree with the patterns above referred to.

XV. All the regulations concerning ordinary or registered letters and printed papers comprised in the mails exchanged between the French offices and the office of Port Louis by way of Suez, and by means of British packets, which are not contrary to the present Articles, shall be applicable to Articles of the same nature comprised in the mails which the office of Marseilles, the travelling office from Lyons to Marseilles, and the Post Office agents on board the French mail packets of the line from Suez to Réunion and Mauritius, shall exchange by means of those packets with the office of Port Louis.

XVI. The present Articles shall be considered as additional to the detailed Regulations arranged between the Post Office of France and the Post Office of Great Britain, for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London the 12th November, 1856, and shall be carried into effect on the 1st day of November, 1864.

Done in duplicate, and signed at London the 22nd day of the month of September, 1864, and at Paris the 23rd day of the same month.

(L.S.) STANLEY OF ALDERLEY.  
(L.S.) E. VANDAL.

\* See Page 495.

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TABLE showing the Origin and Destination of Letters, Printed Papers, and Closed Mails, exchanged between the Post Office Agents on board the French Mail Packets of the line from Suez to Réunion and Mauritius and the British Offices established in the Ports of Aden and of Port Louis.

Dispatching Agent or Office.	Office or Agent to whom addressed.	Description of Articles to be included in the Mail from the Agent or Office named in the First Column for the Office or Agent named in the Second Column.
1.	2.	3.

§ 1. MAILS FROM THE FRENCH AGENTS.

Post Office Agent on board the packet pro- ceeding	From Suez to Port Louis ... ..	Office of Port Louis	Correspondence from places in the Medi- terranean, Suez, Shanghai, Cochin China, Pondicherry, Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), and closed Mails from France, Great Britain, Aden, Point de Galle, Madras, Calcutta, Singapore, and Hong Kong, for the Island of Mauritius.
	From Port Louis to Suez ... ..	Office of Aden ...	

§ 2. MAILS FROM THE BRITISH OFFICES.

Office of Port Louis ... ..	Post Office Agent on board the Packet proceed- ing from Port Louis to Suez ...	Correspondence from places in the Medi- terranean, Suez, Shanghai, Cochin China, Pondicherry, Réunion, Mayotte and its dependencies, and St. Mary (Madagascar), and closed Mails for France, Great Bri- tain, Aden, Point de Galle, Madras, Cal- cutta, Singapore, and Hong Kong.
Office of Aden ... ..	Post Office Agent on board the Packet proceed- ing from Suez to Port Louis ...	

ADDITIONAL ARTICLES to the Detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France for the Execution of the Postal Convention of 24th September, 1856.\* Signed, in the English and French Languages, at <sup>Paris, September 12,</sup> <sub>London, September 20,</sub> 1865.

THE Postmaster-General of the United Kingdom of Great Britain and Ireland, on the one part, and the Director-General of the French Post Office, on the other part,

With reference to Articles XXXI and XXXVI of the Postal Convention concluded between Great Britain and France the 24th September, 1856;

With reference also to the detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France for the execution of the said Convention signed at Paris

\* See Vol. 10. Page 136.

the 27th October, 1856, and at London the 12th November, 1856;\*

And with reference to the Additional Articles to the detailed Regulations above mentioned, signed at London the 18th September, 1864, and at Paris the 22nd of the same month;† have agreed as follows:

ART. I. There shall be a direct exchange of letters and printed papers in closed mails, between the Post Office agents on board the French mail-packets plying between Fort de France and Cayenne, and between St. Thomas and Jamaica, on the one part, and the Post Offices of St. Lucia, St. Vincent, Grenada, Trinidad, Demerara, and Kingston, served by those packets, on the other part.

II. The persons who wish to send ordinary letters either from France and Algeria to St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica, or from St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica to France and Algeria, shall have the option of leaving the entire postage of those letters to be paid by the persons to whom they are addressed or of paying in advance the postage to the place of destination.

The Post Office of France shall pay to the British Post Office, as well for paid letters forwarded from France and Algeria, addressed to St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica, as for unpaid letters forwarded from the said British colonies addressed to France and Algeria, the sum of 40 centimes per 30 grammes of letters, net weight.

On its side, the British Post Office shall pay to the Post Office of France for paid letters forwarded from St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica, addressed to France and Algeria, the sum of 2 francs 20 centimes per ounce British, net weight, and for unpaid letters forwarded from France and Algeria addressed to St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica, the sum of 3 francs 20 centimes per ounce British, net weight.

III. The ordinary letters coming from or addressed to the foreign countries the correspondence of which is transmitted through France which shall be comprised in the closed mails referred to in Article I preceding, shall be subject to the same conditions with respect to prepayment as the letters exchanged between those same foreign countries and the United Kingdom of Great Britain and Ireland by way of France.

The Post Office of France shall pay to the Post Office of Great Britain for those of the said letters the whole postage of which shall be paid by the inhabitants of the foreign countries, the correspondence of which is transmitted through France, the same rate as for letters coming from or addressed to France.

\* See Page 431.

† See Page 503.



As to the rate to be paid by the British Post Office to the Post Office of France as well for paid letters forwarded from St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica, addressed to the foreign countries the correspondence of which is transmitted through France, as for unpaid letters or letters charged with a French transit rate forwarded from the said countries addressed to St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica, it shall be composed, viz. :

1. Of the rate paid by the British Post Office to the Post Office of France for the letters exchanged between those same foreign countries and the United Kingdom of Great Britain and Ireland by way of France ;

2. Of the sum of 1 franc 20 centimes per ounce British, net weight.

IV. The letters which shall be exchanged by means of the French mail-packets of the lines from Fort de France to Cayenne, and from St. Thomas to Jamaica, between the inhabitants of the British colonies served by those packets and the inhabitants of the French colonies of Martinique, Guadeloupe, and French Guiana, may be mutually delivered either unpaid or paid to destination.

V. The British Post Office shall pay to the Post Office of France, as well for paid letters forwarded from the British colonies referred to in the preceding Article for the French colonies referred to in the same Article, as for unpaid letters forwarded from those French colonies addressed to the said British colonies, the sum of 1 franc 20 centimes per ounce British, net weight.

VI. The Post Office of France shall pay to the British Post Office, as well for paid letters forwarded from the French colonies referred to in Article IV, addressed to St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica, as for unpaid letters forwarded from the before-mentioned British colonies addressed to the above French colonies, the sum of 40 centimes per 30 grammes, net weight.

VII. The mails from the Post Office agents on board the French mail packets of the lines from Fort de France to Cayenne, and from St. Thomas to Jamaica, for the British offices established in the ports served by those packets, and reciprocally, the mails from the said British offices for the Post Office agents above-mentioned, shall comprise the letters, the printed papers, and the closed mails specified in Table A annexed to the present Articles.

VIII. The Post Office agents on board the French mail packets of the lines from Fort de France to Cayenne, and from St. Thomas to Jamaica, may deliver to the British offices established in the British ports served by those packets registered letters addressed to the colonies of St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica.

On their side, the British offices of the ports served by the French mail-packets of the before-mentioned lines may deliver to the Post Office agents on board the said packets registered letters addressed as well to France and Algeria as to the foreign countries to which the inhabitants of St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica, shall have the right of forwarding, by way of France, ordinary letters paid to destination.

IX. The forms of letter-bills and acknowledgments of receipt of which the Post Office agents on board the French mail packets of the line from Fort de France to Cayenne, and from St. Thomas to Jamaica shall make use in their communications with the British offices served by those packets, shall be according to the pattern B, annexed to the present Articles.

The forms of letter-bills and acknowledgments of receipt of which the before-mentioned British offices shall make use in their communications with the Post Office agents on board the French mail-packets of the before-mentioned lines shall agree with the pattern above referred to.

X. The provisions of the Articles XXIX, XXX, XXXII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XLI, XLV, XLVI, XLVII, XLVIII, and XLIX of the detailed Regulations arranged between the Post Office of France and the British Post Office, for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London the 12th November, 1856, are applicable to the correspondence coming from, or addressed to, St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Jamaica.

XI. The present Articles shall be considered as additional to the Regulations referred to in the preceding Article, and shall be substituted for the additional Articles to the said Regulations signed at London the 18th September, 1864, and at Paris on the 22nd of the same month, and shall be carried into effect on the 1st day of November, 1865.

Done in duplicate, and signed at Paris the 12th day of the month of September, 1865, and at London the 20th of the same month.

(L.S.) STANLEY OF ALDERLEY.  
(L.S.) ED. VANDAL.

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(A.)—TABLE showing the Origin and Destination of Letters, Printed Papers, and Closed Mails, exchanged between the Post Office Agents on board the French Mail-Packets of the West India Lines and the British Offices established in the Ports served by the said Packets.

Dispatching Agent. 1.	Office to which addressed. 2.	Description of Articles to be included in the Mail from the Agent named in the First Column for the Office named in the Second Column. 3.
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§ 1.—MAILS FROM THE FRENCH AGENT.

Post Office Agent on board the packet proceeding	From Martinique to French Guiana.	Office of St. Lucia .....	Correspondence from France, from countries the correspondence of which is sent through France, from Mexico, Cuba, Porto Rico, St. Thomas, Hayti, New Granada, Martinique, and Guadeloupe; and closed Mails from Great Britain and Jamaica, for St. Lucia.
		Office of St. Vincent .....	Correspondence from France, from countries the correspondence of which is sent through France, from Mexico, Cuba, Porto Rico, St. Thomas, Hayti, New Granada, Martinique, and Guadeloupe; and closed Mails from Great Britain, Jamaica, and St. Lucia, for St. Vincent.
		Office of Grenada .....	Correspondence from France, from countries the correspondence of which is sent through France, from Mexico, Cuba, Porto Rico, St. Thomas, Hayti, New Granada, Martinique, and Guadeloupe; and closed Mails from Great Britain, Jamaica, St. Lucia, and St. Vincent, for Grenada.
		Office of Trinidad .....	Correspondence from France, from countries the correspondence of which is sent through France, from Mexico, Cuba, Porto Rico, St. Thomas, Hayti, New Granada, Martinique, and Guadeloupe; and closed Mails from Great Britain, Jamaica, St. Lucia, St. Vincent, and Grenada, for Trinidad.
		Office of Demerara .....	Correspondence from France, from countries the correspondence of which is sent through France, from Mexico, Cuba, Porto Rico, St. Thomas, Hayti, New Granada, Martinique, and Guadeloupe; and closed Mails from Great Britain, Jamaica, St. Lucia, St. Vincent, Grenada, and Trinidad, for British Guiana.
	From French Guiana to Martinique.	Office of Demerara .....	Correspondence from French Guiana and Dutch Guiana, for British Guiana.
		Office of Trinidad .....	Correspondence from French Guiana and Dutch Guiana; and closed Mails from British Guiana, for Trinidad.
		Office of Grenada .....	Correspondence from French Guiana and Dutch Guiana; and closed Mails from British Guiana, and Trinidad, for Grenada.
		Office of St. Vincent .....	Correspondence from French Guiana and Dutch Guiana; and closed Mails from British Guiana, Trinidad, and Grenada, for St. Vincent.
		Office of St. Lucia .....	Correspondence from French Guiana and Dutch Guiana; and closed Mails from British Guiana, Trinidad, Grenada, and St. Vincent, for St. Lucia.
	From St. Thomas to Jamaica.	Office of Kingston .....	Correspondence from France, from countries the correspondence of which is sent through France, from Mexico, Cuba, Porto Rico, St. Thomas, Hayti, New Granada, Dutch Guiana, Martinique, Guadeloupe, and French Guiana; and closed Mails from Great Britain, St. Lucia, St. Vincent, Grenada, Trinidad, and British Guiana, for Jamaica.

(A.)—TABLE showing the origin and destination of Letters, Printed Papers, and closed Mails exchanged between the Post Office Agents on board the French Mail-Packets on the Indo-China Lines and the British Offices established in the Ports served by the said Packets.—(Continued.)

Dispatching Office.	Agent to whom addressed.	Description of Articles to be included in the Mail from the Office named in the Fourth Column for the Agent named in the Fifth Column.
4.	5.	6.

§ 2.—MAILS FROM THE BRITISH OFFICES.

Office of St. Lucia.	Post Office Agent on board the packet proceeding	From Martinique to French Guiana.	Correspondence from St. Lucia for Dutch Guiana and French Guiana; and closed Mails from St. Lucia for St. Vincent, Grenada, Trinidad, and British Guiana.
		From French Guiana to Martinique.	Correspondence from St. Lucia for Guadeloupe, Martinique, New Granada, Hayti, Porto Rico, St. Thomas, Cuba, Mexico, France, and countries the correspondence of which is sent through France; and closed Mails for Great Britain and Jamaica.
Office of St. Vincent.	Post Office Agent on board the packet proceeding	From Martinique to French Guiana.	Correspondence from St. Vincent for Dutch Guiana and French Guiana; and closed Mails from St. Vincent for Grenada, Trinidad, and British Guiana.
		From French Guiana to Martinique.	Correspondence from St. Vincent for Guadeloupe, Martinique, New Granada, Porto Rico, St. Thomas, Cuba, Mexico, France, and countries the correspondence of which is sent through France; and closed Mails for St. Lucia, Great Britain, and Jamaica.
Office of Grenada.	Post Office Agent on board the packet proceeding	From Martinique to French Guiana.	Correspondence from Grenada for Dutch Guiana and French Guiana; and closed Mails from Grenada for Trinidad and British Guiana.
		From French Guiana to Martinique.	Correspondence from Grenada for Guadeloupe, Martinique, Cuba, New Granada, Hayti, Porto Rico, St. Thomas, Mexico, France, and countries the correspondence of which is sent through France; and closed Mails for St. Vincent, St. Lucia, Great Britain, and Jamaica.
Office of Trinidad.	Post Office Agent on board the packet proceeding	From Martinique to French Guiana.	Correspondence from Trinidad for Dutch Guiana and French Guiana; and closed Mails from Trinidad for British Guiana.
		From French Guiana to Martinique.	Correspondence from Trinidad for Guadeloupe, Martinique, Cuba, Mexico, New Granada, Hayti, Porto Rico, St. Thomas, France, and countries the correspondence of which is sent through France; and closed Mails for Grenada, St. Vincent, St. Lucia, Great Britain, and Jamaica.
Office of Demerara.	Post Office Agent on board the packet proceeding	From Martinique to French Guiana.	Correspondence from British Guiana for Dutch Guiana and French Guiana.
		From French Guiana to Martinique.	Correspondence from Demerara for Guadeloupe, Martinique, Cuba, Mexico, New Granada, Hayti, Porto Rico, St. Thomas, France, and countries the correspondence of which is sent through France; and closed Mails for Trinidad, Grenada, St. Vincent, St. Lucia, Great Britain, and Jamaica.
Office of Kingston.	Post Office Agent on board the packet proceeding from Jamaica to St. Thomas.		Correspondence from Kingston for New Granada, Hayti, Porto Rico, St. Thomas, Cuba, Mexico, Guadeloupe, Martinique, Dutch Guiana, French Guiana, France, and countries the correspondence of which is sent through France; and closed Mails for St. Lucia, St. Vincent, Grenada, Trinidad, British Guiana, and Great Britain.



ADDITIONAL ARTICLES *to the Detailed Regulations arranged between the Post Office of Great Britain and the Post Office of France, for the Execution of the Postal Convention of the 24th September, 1856.\* Signed, in the English and French Languages, at <sup>London, June 18,</sup> 1866.*  
*Paris, June 20,*

THE Postmaster-General of the United Kingdom of Great Britain and Ireland on the one part, and the Director-General of the French Post Office on the other part :—

With reference to Articles XXXI and XXXVI of the Postal Convention concluded between France and Great Britain the 24th September, 1856 :

With reference also to the detailed Regulations arranged between the French Post Office and the Post Office of Great Britain for the execution of the said Convention signed at Paris the 27th October, 1856, and at London the 12th November, 1856 :†

Have agreed as follows :

ART. I. There shall be a direct exchange of closed mails, by means of British packets and by way of the Isthmus of Suez, between the Office of Marseilles and the travelling office from Lyons to Marseilles on the one part, and the Office of Cape Town (Cape of Good Hope) on the other part, as well for ordinary letters, registered letters, and printed papers of all kinds exchanged by the said route between the inhabitants of France and Algeria, and the inhabitants of the Cape of Good Hope as for articles of a like nature exchanged between the inhabitants of the Foreign countries the correspondence of which is transmitted through France and the inhabitants of the Cape of Good Hope.

II. The persons who wish to send ordinary letters, either from France and Algeria to the Cape of Good Hope, or from the Cape of Good Hope to France and Algeria, shall have the option of leaving the entire postage of those letters to be paid by the persons to whom they are addressed, or of paying in advance the postage to the place of destination.

The Post Office of France shall pay to the British Post Office as well for paid letters forwarded from France and Algeria addressed to the Cape of Good Hope, as for unpaid letters forwarded from the Cape of Good Hope addressed to France and Algeria, the sum of 1 franc 66 centimes per 30 grammes of letters, net weight.

On its side the British Post Office shall pay to the Post Office of France for paid letters forwarded from the Cape of Good Hope addressed to France and Algeria, the same rate as for paid letters from the British Colonies in America, and for

\* See Vol. 10. Page 136.

† See Page 431.

unpaid letters forwarded from France and Algeria addressed to the Cape of Good Hope, the same rate as for unpaid letters addressed to the British Colonies of America.

III. The ordinary letters coming from or addressed to the foreign countries the correspondence of which is transmitted through France, which shall be comprised in the closed mails referred to in Article I preceding, shall be subject to the same conditions with respect to prepayment as the letters exchanged between those same foreign countries and the island of Malta by way of France.

The Post Office of France shall pay to the Post Office of Great Britain for such of the said letters as shall be fully prepaid by the inhabitants of the foreign countries, the correspondence of which is transmitted through France, the same rate as for letters coming from or addressed to France.

As to the rate to be paid by the British Post Office to the Post Office of France, as well for paid letters forwarded from the Cape of Good Hope addressed to the foreign countries the correspondence of which is transmitted through France, as for unpaid letters or letters charged with a French transit rate forwarded from the said countries addressed to the Cape of Good Hope, it shall be the same as for letters exchanged between those same foreign countries and the island of Malta, by way of France.

IV. The office of Marseilles, and the travelling office from Lyons to Marseilles, may deliver to the Office of Cape Town registered letters addressed to the Cape of Good Hope.

On its side, the office of Cape Town may deliver to the office of Marseilles and to the travelling office from Marseilles to Lyons, registered letters addressed as well to France and Algeria as to the foreign countries to which the inhabitants of the Cape of Good Hope shall have the right of forwarding by way of France, ordinary letters paid to destination.

V. The forms of letter-bills and acknowledgments of receipt of which the office of Marseilles and the travelling office from Lyons to Marseilles shall make use in their communications with the office of Cape Town, shall be according to the pattern S, annexed to the Additional Articles to the detailed Regulations arranged between the Post Office of France and the Post Office of Great Britain for the execution of the Postal Convention of the 24th September, 1856, signed at London the 25th November, 1861, and at Paris the 27th of the same month.\*

The forms of letter bills and acknowledgments of receipt, of which the office of Cape Town shall make use in its communications with the office of Marseilles, and with the travelling office from Marseilles to Lyons, shall agree with the pattern above referred to.

VI The provisions of the Articles XXIX, XXX, XXXII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XLI,

\* See Page 476.

XLV, XLVI, XLVII, XLVIII, and XLIX of the detailed Regulations arranged between the Post Office of France and the British Post Office, for the execution of the Convention of the 24th September, 1856, signed at Paris the 27th October, 1856, and at London the 12th November, 1856, shall be applicable to the correspondence coming from or addressed to the Cape of Good Hope.

VII. The present Articles shall be considered as additional to the detailed Regulations referred to in the preceding Article, and shall be carried into effect on the 1st September, 1866.

Done in duplicate, and signed at London the 18th day of June, 1866, and at Paris the 20th of the same month.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) E. VANDAL.

**BRITISH TREASURY WARRANT**, *altering the Scale of Progression for the Rates of Postage on Newspapers transmitted to France or Italy, or to Foreign Countries through France or Italy, or to Spain; and on Books, &c., and Patterns or Samples from the United Kingdom to Foreign Countries.* June 18, 1866.

WHEREAS by an Act of Parliament, passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage certain scales of weight and rates of postage were fixed and made chargeable and payable upon, or in respect of letters, newspapers, parliamentary proceedings, and printed papers, transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post; and by the same Act powers were given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act of Parliament passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act of Parliament made and passed in the 18th year of the reign of Her Majesty, chapter 27,‡ for amending the laws relating to the stamp duties

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

‡ See Vol. 10. Page 530.

on newspapers, and for providing for the transmission by post of printed periodical publications.

And whereas the Commissioners of Her Majesty's Treasury, in exercise of the powers vested in them in and by the said before-mentioned Acts, or of some or one of them, and of all other powers enabling them in that behalf, have, from time to time by divers Warrants under their hands, authorized and directed that packets, consisting of printed newspapers, or of printed papers other than newspapers, or of books, publications, or works of literature or art, or of printed votes and proceedings of the Imperial Parliament, or of patterns or samples of merchandize, might be transmitted by the post from the United Kingdom to certain *Foreign* countries at certain rates of postage, and under and subject to certain conditions, regulations, and restrictions in and by the said several Warrants respectively specified and mentioned.

And whereas it is expedient to reduce the postage now chargeable on certain of the said packets in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the hereinbefore recited Acts of Parliament, and each of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order, direct, and declare as follows; that is to say:

1. That all packets consisting of printed newspapers, exceeding 8 ounces in weight, posted in the United Kingdom addressed to *France*, or to *Foreign* countries through *France*, or to *Italy*, or to *Foreign* countries through *Italy*, or to *Spain*, and transmitted by the post from the United Kingdom to *France*, or to *Foreign* countries through *France* (the conveyance through *France*, in such last-mentioned cases, being otherwise than in closed mails), or to *Italy*, or to *Foreign* countries through *Italy*, or to *Spain*, under the authority of any Warrant or Warrants of the Commissioners of Her Majesty's Treasury now in force relating thereto, and all packets consisting of printed papers other than newspapers, or of books, publications, or works of literature or art, or of printed votes and proceedings of the Imperial Parliament, or of patterns or samples of merchandize, exceeding 8 ounces in weight, posted in the United Kingdom, addressed to any *Foreign* country, and respectively transmitted by the post from the United Kingdom to any *Foreign* country, under the authority of any Warrant or Warrants of the Commissioners of Her Majesty's Treasury now in force relating thereto, shall, in lieu of being charged with the postage payable thereon respectively for such transmission thereof as hereinbefore mentioned, according to the scale of weight and number



of rates contained in or referred to by the said referred-to Warrants respectively, or any or either of them, be charged with such postage according to the scale of weight and number of rates following, that is to say:

For every additional 4 ounces in weight of any such packet above the weight of 8 ounces, there shall be charged, taken, and paid one additional rate of postage; and every fractional part of such additional 4 ounces in weight shall be charged as an additional 4 ounces in weight; and each progressive and additional rate chargeable under this Warrant shall be estimated and charged at the sum which any such packet of the weight of, but not exceeding, 4 ounces, would be charged with under any such Warrants or Warrant respectively as hereinbefore mentioned.

2. The several Warrants hereinbefore referred to, shall, save so far as the same are respectively altered or affected by this present Warrant, or by any other Warrant or Warrants now in force altering or affecting the same, continue in full force and effect as fully and effectually as if the scale of weight and number of rates mentioned and contained in the first clause of this Warrant had been inserted in the said referred-to Warrants in lieu of those therein contained applicable to packets exceeding 8 ounces in weight.

3. Nothing herein contained shall be construed to extend to or to affect any packets of whatever description transmitted by the post under the authority of a certain Warrant under the hands of two of the Commissioners of Her Majesty's Treasury, bearing date the 14th day of June, 1859,\* relating to letters and packets transmitted by the post between the United Kingdom and *Portugal*, which said Warrant, and everything therein contained, shall have the same force and effect in all respects as if this Warrant had not been signed.

4. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed or altered, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

5. This Warrant shall come into operation on the 1st day of July, 1866.

Whitehall, Treasury Chambers, the 18th day of June, 1866.

JOHN ESMONDE.

J. BONHAM CARTER.

\* See Vol. 11. Page 498.

## GERMANY.

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from the German Postal Union (Prussia, Austria, Bavaria, Saxony, Hanover, Wurtemberg, Baden, Luxemburg, Brunswick, Mecklenburgh Schwerin, Mecklenburgh Strelitz, Oldenburg, Lubeck, and the countries and places comprised in the postal district of the Prince of Tour and Taxis; namely, Frankfort on the Main, The Grand Duchy of Hesse, Hesse Electoral, Hesse Homburg, Schaumburg Lippe, Lippe Detmold, Nassau, Reuss, Saxe Coburg Gotha, Saxe Meiningen, Saxe Weimar Eisenach, Hohenzollern, Schwartzburg Rudolstadt, and Schwartzburg Sondershausen), Hamburgh or Bremen, viâ Belgium.*—December 28, 1864.

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WHEREAS by an Act of Parliament, passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, parliamentary proceedings, and printed papers, transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post, and by the same Act powers were given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient that certain regulations should be made in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the power reserved to us in and by the said hereinbefore recited Acts of Parliament, and every of them, and of all other powers enabling us in this behalf, do by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows; that is to say:

1. All packets not exceeding 8 ounces in weight, consisting of patterns or samples of merchandize of no intrinsic value

\* See Vol. 5. Page 243.

† See Vol. 8. Page 247.

posted in any part of the United Kingdom, addressed to any place within any of the States of the *German* Postal Union, or either of the Free Hanseatic Republics of *Hamburg* and *Bremen*, or posted in any place within any of the States of the *German* Postal Union, or either of the Free Hanseatic Republics of *Hamburg* and *Bremen*, addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and any place in any of the States of the *German* Postal Union, or either of the Free Hanseatic Republics of *Hamburg* and *Bremen*, in closed mails *viâ Belgium*, subject to the several rates of postage (including the *Belgian* Transit Rate) hereinafter mentioned (that is to say):

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid, an uniform single rate of postage (British and *Foreign* combined) of 4*d.*

And on every such packet, if exceeding 4 ounces and not exceeding  $\frac{1}{2}$  of a pound in weight, there shall be charged, taken, and paid, an uniform rate of postage (British and *Foreign* combined) of 8*d.*

2. Every packet which shall be transmitted by the post under the authority of this Warrant shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter contained (that is to say):

3. No such packet which in length, or breadth, or depth shall exceed the dimensions of 2 feet (British), shall be transmitted by the post under the provisions of this Warrant.

4. No pattern, or sample, being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

5. There shall be no inclosure, sealed or otherwise, closed against inspection, nor any other inclosure not authorized by this Warrant, sent in or with any such packet.

6. There shall be no writing upon any such packet, or on the cover thereof, except the name and address of the person for whom it is intended, the name and address of the sender thereof, a trade mark and number, and price of the pattern or sample contained therein, nor shall there be any writing in any such packet, except the name and address of the sender thereof, a trade mark and number and price of the pattern or sample contained therein, which shall in all such last-mentioned cases be written or printed on labels attached to the pattern or sample.

7. All such packets shall be sent in covers open at the ends, so as to be easy of examination. Nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers may be inclosed in bags of linen, paper, or of other material, but bags so closed that they cannot be

readily opened, even although they be transparent, shall not be used for that purpose.

8. Every packet transmitted by the post under this Warrant, and posted in the United Kingdom, shall be put into the Post Office at such hours in the day, and under all such regulations as the Postmaster-General may appoint.

9. The postage of all such packets as aforesaid, posted in the United Kingdom, shall in every case be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the value or amount of the postage duty payable thereon, under or by virtue of this Warrant.

10. If any packet authorized to be transmitted by the post under this Warrant shall be posted in the United Kingdom, addressed to any place within any of the States of the *German* Postal Union, or if any such packet shall be posted in any place within the States of the *German* Postal Union, addressed to the United Kingdom, the postage whereof shall be insufficiently prepaid, by such packet having thereon or affixed thereto a postage stamp or stamps which shall represent a less sum than the amount of postage duty payable thereupon, every such packet shall be charged with double the amount of the postage which shall be so insufficiently prepaid upon any such packet.

11. If any packet sent or tendered or delivered, in order to to be sent by the post under the provisions of this Warrant, shall be sent otherwise than in conformity with the conditions and regulations established by or under the authority of this Warrant (except only as in the last preceding clause mentioned), the same shall and may be detained and opened, and, at the option of the Postmaster-General, shall be either returned or given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such packet, on being so returned, given up, or forwarded, shall, at the option of the Postmaster-General, either be free of postage or be charged with any rate of postage he may think fit, not exceeding the rate that would be chargeable on such packet as an unpaid letter.

And whereas the Commissioners of Her Majesty's Treasury, by a certain Warrant, in writing, under their hands, bearing date, at Whitehall Treasury Chambers, the 28th day of November, 1844,\* in exercise of the powers reserved to them in and by the said firstly hereinbefore recited Act, and of all other powers enabling them in that behalf, did declare, consent, and direct (amongst other things) that no packet should be forwarded, conveyed, or delivered by the post, within the United Kingdom,

\* See Vol. 7. Page 622.



containing any razor, scissors, knife, fork, or other sharp or pointed instrument, or any article, matter, or thing whatsoever, which might, by pressure or otherwise, be rendered injurious either to the officers of the Post Office or to the contents of the mail bags.

12. Now we, the Commissioners of Her Majesty's Treasury, do hereby declare and direct that, notwithstanding the said recited Warrant of the 28th day of November, 1844, any packet posted in any part of the United Kingdom, addressed to any place within any of the States of the *German* Postal Union, or either of the Free Hanseatic Republics of *Hamburg* and *Bremen*, or posted in any place within any of the States of the *German* Postal Union, or either of the Free Hanseatic Republics of *Hamburg* and *Bremen*, addressed to any part of the United Kingdom, containing any razor, scissors, knife, fork, or other sharp or pointed instrument, keys, watch machinery, metal, metal tubing, or ore, or such like, shall and may be transmitted by the post between any part of the United Kingdom and any place within any of the States of the *German* Postal Union, or either of the Free Hanseatic Republics of *Hamburg* and *Bremen*, subject to the several rates of postage, and to the several orders, directions, regulations, and restrictions herein mentioned and contained, provided that every such razor, scissors, knife, fork, or other sharp or pointed instrument, keys, watch machinery, metal, metal tubing, or ore, or such like, so contained in any packet, be securely packed and guarded. And every such packet shall not only conform in every respect to the several orders, directions, regulations, and restrictions herein contained, but the same shall also furnish sufficient protection against injury to the officers of the Post Office, and to the contents of the mail bags: Provided always, that nothing herein contained shall extend to authorize the transmission by the post between any part of the United Kingdom and any place within any of the States of the *German* Postal Union, or either of the Free Hanseatic Republics of *Hamburg* and *Bremen*, of any packet containing any explosive or other dangerous material or substance.

13. And we do further order and direct, that if any packet sent or tendered or delivered in order to be sent by the post under the authority of the 12th clause of this Warrant, shall be posted or transmitted by the post without being securely packed and guarded, and without furnishing sufficient protection against injury to the officers of the Post Office and to the contents of the mail bags, as in such 12th clause of this Warrant provided (of which the Postmaster-General shall be the sole judge), every such respective packet shall and may be detained and opened, and, at the option of the Postmaster-General, shall be either returned or given up to the sender

thereof, or be given up to the person to whom it shall be addressed, and every such packet on being so returned or given up shall be chargeable with any rate or amount of postage the Postmaster-General shall think fit, not exceeding the letter rates of postage.

14. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be despatched in due course of the post, or (at his option) until the despatch of the mail next after that by which the same ought, in due course of the post, to be forwarded by him.

15. In all cases in which any question shall hereafter arise whether any packet, or any pattern or sample contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive on all parties.

16. The term "*German Postal Union*," used in this Warrant, shall be construed to mean and include *Prussia, Austria, Bavaria, Saxony, Hanover, Wurtemberg, Baden, Luxemburg, Brunswick, Mecklenburgh Schwerin, Mecklenburgh Strelitz, Oldenburg, Lubeck*, and the countries and places comprised in the postal district of the *Prince of Tour and Taxis*; namely, *Frankfort on the Main, The Grand Duchy of Hesse, Hesse Electoral, Hesse Homburg, Schaumburg Lippe, Lippe Detmold, Nassau, Reuss, Saxe Coburg Gotha, Saxe Meiningen, Saxe Weimar Eisenach, Hohenzollern, Schwartzburg Rudolstadt, and Schwartzburg Sondershausen*; and the term "weight," shall mean British weight, and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act, passed in the 4th year of the reign of Her Majesty, chapter 96.

17. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands duly made, at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

18. This Warrant shall come into operation on the 1st day of January, 1865.

Whitehall, Treasury Chambers, the 28th day of December, 1864.

LUKE WHITE.  
WM. DUNBAR.

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## GREECE.

PROTOCOL of Conference between Great Britain, France, and  
Russia; relative to the Independence and Sovereignty of Greece.  
London, February 3, 1830.\*

[Referred to in Article IV of the Treaty of 7th May, 1832.]  
(Extrait.)

*Protocole de la Conférence tenue au Foreign Office, à Londres, le  
3 Février, 1830.*

§ 1. La Grèce formera un État indépendant, et jouira de tous les droits politiques, administratifs, et commerciaux, attachés à une indépendance complète.

§ 3. Le Gouvernement de la Grèce sera Monarchique, et héréditaire par ordre de primogéniture. Il sera confié à un Prince qui ne pourra pas être choisi parmi ceux des familles régnantes dans les États signataires du Traité du 6 Juillet, 1827, et portera le titre de Prince Souverain de la Grèce. Le choix de ce Prince fera l'objet de communications et de stipulations ultérieures.

ARRANGEMENT entered into by Greece with the Guaranteeing  
Powers, for the future payment of the Interest and Sinking Fund  
of the Greek Loan. Athens, June 21, 1860.

*Mr. Eliot to Lord J. Russell.—(Received June 29.)*

MY LORD, *Athens, June 21, 1860.*

I HAVE the honour to inclose herewith copy of a note which I have received this day from M. Condouriotis, in which he states that the Hellenic Government having obtained the necessary vote from the Legislative Chambers has authorized the King's Representatives at the Courts of London, Paris, and St. Petersburg to inform the Governments of the 3 Guaranteeing Powers that the sum of 900,000 francs† is placed at their disposal, in accordance with the decision come to on the Report of the Financial Commission.‡

The Greek Ministers at the above mentioned Courts will be further instructed to make some observations upon certain assertions contained in the Report of the Finance Commission.

I have likewise the honour to inclose copy of my answer to M. Condouriotis' communication.

I have, &c.

*Lord J. Russell.*

*W. G. CORNWALLIS ELIOT.*

\* See Vol. 4. Page 315.

† 900,000 francs = 36,000*l.*, or 1,000,000 drachmas.

‡ May 24, 1859. See State Papers. Vol. 49. Page 1150.

(Inclosure 1.)—*M. Condouriotis to Mr. Eliot.*

MONSIEUR,

*Athènes, le 9<sup>e</sup> Juin, 1860.*

L'OFFICE en date du 20 Octobre, 1859, que le très-honorable Sir Thomas Wyse m'avait fait l'honneur de m'adresser pour inviter le Gouvernement Hellénique, au nom de Sa Majesté la Reine de la Grande Bretagne, à contribuer au service de l'emprunt de 60,000,000, par un versement annuel de 900,000 francs, a été pris en sérieuse considération.

Le Gouvernement du Roi tout en considérant que cette demande est très-éloignée des propositions qu'il avait spontanément soumises en 1856 aux 3 Puissances garantes, et en disproportion avec ses besoins et ses ressources, s'est toutefois décidé à y faire droit en s'imposant plus d'un sacrifice et en bornant au strict nécessaire les dépenses de l'Etat.

J'ai en conséquence l'honneur de vous annoncer, Monsieur, que le crédit de 900,000 francs demandés dans ce but aux Chambres avant été obtenu, le Gouvernement Royal vient de charger les Ministres du Roi à Londres, à Paris, et à St. Petersburg de porter à la connaissance des Puissances garantes que la somme ci-dessus mentionnée est à leur disposition, et à leur soumettre à la fois les observations nécessaires relativement à certaines assertions contenues dans le Rapport de la Commission Financière.

J'aime à espérer que l'empressement que le Gouvernement du Roi a mis à satisfaire à la demande des Puissances sera considéré à Londres comme une preuve de plus de sa sincérité à remplir ses engagements dans la mesure de ses forces.

Agréez, &c.

*Hon. W. G. C. Eliot.*

C. A. G. CONDOURIOTIS.

(Inclosure 2.)—*Mr. Eliot to M. Condouriotis.*

SIR,

*Athens, June 21, 1860.*

I HAVE the honour to inform you that having received your communication of this day stating that the sum of 900,000 francs has been placed at the disposal of the guaranteeing Powers, and that His Hellenic Majesty's Representatives at the Courts of London, Paris, and St. Petersburg will be instructed to notify the same to those Governments, with further instructions to make observations on certain assertions made in the Report of the Financial Commission, I shall not fail to forward the same by to-morrow's post to Her Majesty's Government.

I have, &c.

*M. Condouriotis.*

W. G. CORNWALLIS ELIOT.



CONSTITUTION of the Kingdom of Greece; so far as it relates to Religion. Athens,  $\frac{1}{2}\frac{6}{8}$  November, 1864.

*De la Religion.*

ART. I. La religion dominante, en Grèce, est celle de l'Eglise orthodoxe Orientale du Christ. Toute autre religion reconnue est tolérée, et le libre exercice de son culte est protégé par les lois. Le prosélytisme et toute autre intervention préjudiciable à la religion dominante sont défendus.

II. Les ministres de tous les cultes reconnus sont soumis, de la part de l'Etat, à la même surveillance que les ministres de la religion dominante.

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TREATY between Great Britain, France, and Russia on the one part, and Greece on the other part, respecting the Union of the Ionian Islands to the Kingdom of Greece.\* Signed at London, March 29, 1864.

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AU nom de la très Sainte et Indivisible Trinité.

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande a fait connaître à l'Assemblée Législative des Etats Unis des Iles Ioniennes, qu'en vue de réunir éventuellement ces Iles au Royaume de Grèce, elle était prête, si le Parlement Ionien en exprimait le vœu, à faire abandon du Protectorat de ces Iles, confié à Sa Majesté par le Traité conclu à Paris le 5 Novembre, 1815,† entre les Cours de la Grande Bretagne, d'Autriche, de Prusse, et de Russie. Ce vœu ayant été manifesté par un vote de la dite Assemblée Législative, rendu à l'unanimité des voix le  $\frac{7}{8}$  Octobre, 1863, Sa Majesté Britannique a consenti, par l'Article I du Traité conclu le 14 Novembre, 1863,‡ entre Sa Majesté l'Empereur d'Autriche, l'Empereur des Français, le Roi de Prusse, et l'Empereur de Toutes les Russies, à renoncer au dit Protectorat, sous de certaines conditions spécifiées dans le Traité précité, et définies depuis lors par les Protocoles subséquents,

De leur côté, leurs Majestés l'Empereur d'Autriche, l'Empereur des Français, le Roi de Prusse, et l'Empereur de Toutes les Russies, ont consenti par le même Article et sous les mêmes conditions à accepter cette renonciation, et à reconnaître, conjointement avec Sa Majesté Britannique, l'union de ces Iles au Royaume de Grèce.

En vertu de l'Article V du Traité signé à Londres le 13 Juillet, 1863,§ il a été convenu en outre, d'un commun accord,

\* Ratifications exchanged at London, April 25, 1864.

† See Vol. 1. Page 45.

‡ See Vol. 11. Page 1107.

§ See Vol. 11. Page 1105.

entre Sa Majesté Britannique et leurs Majestés l'Empereur des Français et l'Empereur de Toutes les Russies, que les Iles Ioniennes, lorsque leur réunion au Royaume de Grèce aurait été effectuée, comme l'Article IV du même Traité l'a prévu, seraient comprises dans la garantie stipulée en faveur de la Grèce par les Cours de la Grande Bretagne, de France, et de Russie, en vertu de la Convention signée à Londres, le 7 Mai, 1832.\*

En conséquence, d'accord avec les stipulations du Traité du 13 Juillet, 1863,† et conformément aux termes de l'Article VI du Traité du 14th Novembre, 1863,‡ par lequel les Cours de la Grande Bretagne, de France, et de Russie, en leur qualité de Puissances garantes du Royaume de Grèce, se sont réservé de conclure un Traité avec le Gouvernement Hellénique sur les arrangements que pourra nécessiter la réunion des Iles Ioniennes à la Grèce, leurs dites Majestés ont résolu de procéder à négocier avec Sa Majesté le Roi des Hellènes un Traité, à l'effet de mettre à exécution les stipulations ci-dessus mentionnées.

Sa Majesté le Roi des Hellènes ayant donné son assentiment à la conclusion de ce Traité, leurs dites Majestés ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable Jean Comte Russell, Vicomte Amberley de Amberley et Ardsalla, Pair du Royaume Uni, Chevalier du Très Noble Ordre de la Jarretière, Conseiller de Sa Majesté Britannique en son Conseil Privé, son Principal Secrétaire d'Etat pour les Affaires Etrangères ;

Sa Majesté l'Empereur des Français, le Sieur Godefroy Bernard Henry Alphonse, Prince de la Tour d'Auvergne Lauragais, Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté Britannique, Grand Officier de l'Ordre Impérial de la Légion d'Honneur, Grand-Croix de l'Ordre de l'Aigle Rouge de Prusse, Grand-Croix de l'Ordre des Saints Maurice et Lazare, &c. ;

Sa Majesté l'Empereur de Toutes les Russies, le Sieur Philippe Baron de Brunnow, son Conseiller Privé Actuel, Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté Britannique, Chevalier des Ordres de Russie, Grand-Croix de l'Ordre Impérial de la Légion d'Honneur, et Grand-Croix de l'Ordre du Sauveur de Grèce, &c. ;

Et Sa Majesté le Roi des Hellènes, le Sieur Charilaüs S. Tricoupi, Représentant à l'Assemblée Nationale des Hellènes ;

Lesquels, après avoir échangé leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et signé les Articles suivants :

ART. I. Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, désirant réaliser le vœu que l'Assemblée Législative des Etats Unis des Iles Ioniennes a exprimé de voir ces Iles réunies à la Grèce, a consenti, sous les conditions spéci-

\* See Vol. 4. Page 313. † See Vol. 11. Page 1105. ‡ See Vol. 11. Page 1107.

fiées ci-après, à renoncer au Protectorat des Iles de Corfou, Céphalonie, Zante, Sainte Maure, Ithaque, Cerigo, et Paxo, avec leur dépendances, lesquelles, en vertu du Traité signé à Paris le 5 Novembre, 1815, par les Plénipotentiaires de la Grande Bretagne, d'Autriche, de Prusse, et de Russie, ont été constituées en un seul Etat libre et indépendant sous la dénomination "d'Etats Unis des Iles Ioniennes," placé sous la protection immédiate et exclusive de Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, ses héritiers et successeurs.

En conséquence, Sa Majesté Britannique, Sa Majesté l'Empereur des Français, et Sa Majesté l'Empereur de Toutes les Russies, en leur qualité de signataires de la Convention du 7 Mai, 1832, reconnaissent cette union, et déclarent que la Grèce, dans les limites déterminées par l'arrangement conclu à Constantinople entre les Cours de la Grande Bretagne, de France, et de Russie, avec la Porte Ottomane le 21 Juillet, 1832—y compris les Iles Ioniennes—formera un Etat Monarchique, indépendant, et constitutionnel, sous la souveraineté de Sa Majesté le Roi George, et sous la garantie des 3 Cours.

II. Les Cours de la Grande Bretagne, de France, et de Russie, en leur qualité de Puissances garantes de la Grèce, déclarent, avec l'assentiment des Cours d'Autriche et de Prusse, que les Iles de Corfou et de Paxo, ainsi que leurs dépendances, après leur réunion au Royaume Hellénique, jouiront des avantages d'une neutralité perpétuelle.

Sa Majesté le Roi des Hellènes s'engage, de son côté, à maintenir cette neutralité.

III. La réunion des Iles Ioniennes au Royaume Hellénique n'apportera aucun changement aux avantages concédés au commerce et à la navigation étrangers, en vertu de Traités et de Conventions conclus par les Puissances étrangères avec Sa Majesté Britannique, en sa qualité de Protectrice des Iles Ioniennes.

Tous les engagements qui résultent des dites transactions, ainsi que des réglemens y relatifs, actuellement en vigueur, seront maintenus et strictement observés comme par le passé.

En conséquence il est expressément entendu que les bâtimens et le commerce étrangers dans les ports Ioniens, de même que la navigation entre les ports Ioniens et ceux de la Grèce, continueront à être soumis au même traitement et placés dans les mêmes conditions qu'avant la réunion des Iles Ioniennes à la Grèce, et cela jusqu'à la conclusion de nouvelles Conventions formelles ou d'arrangements destinés à régler entre les parties intéressées les questions de commerce, de navigation, ainsi que celles du service régulier des communications postales.

Ces nouvelles Conventions seront conclues dans le délai de 15 ans, ou plus tôt si faire se peut.\*

IV. La réunion des Etats Unis des Iles Ioniennes au Royaume de Grèce n'invalidera en rien les principes établis par la législation existante de ces Iles en matière de liberté de culte et de tolérance religieuse; conséquemment, les droits et immunités consacrés en matière de religion par les Chapitres I et V de la Charte Constitutionnelle des Etats Unis des Iles Ioniennes, et spécialement la reconnaissance de l'Eglise Grecque orthodoxe comme religion dominante dans ces Iles; l'entière liberté du culte accordée à l'Eglise de l'Etat de la Puissance protectrice; et la parfaite tolérance promise aux autres communions Chrétiennes,—seront maintenus après l'union dans toute leur force et valeur.

La protection spéciale garantie à l'Eglise Catholique Romaine, ainsi que les avantages dont elle est présentement en possession, seront également maintenus; et les sujets appartenant à cette communion jouiront dans les Iles Ioniennes de la même liberté de culte qui leur a été reconnue en Grèce par le Protocole du 3 Février, 1830.†

Le principe de l'entière égalité civile et politique entre les sujets appartenant aux divers rites, consacré en Grèce par le même Protocole, sera pareillement en vigueur dans les Iles Ioniennes.

V. L'Assemblée Législative des Etats Unis des Iles Ioniennes a décrété par une Résolution rendue le 17<sup>e</sup> Octobre, 1863, que la somme de 10,000,000 livres sterling par an serait affectée, en paiements mensuels, à l'augmentation de la Liste Civile de Sa Majesté le Roi des Hellènes, de manière à constituer la première charge à prélever sur la recette des Iles Ioniennes, à moins qu'il ne soit pourvu à ce paiement, suivant les formes constitutionnelles, sur les revenus du Royaume de Grèce.

En conséquence, Sa Majesté le Roi des Hellènes s'engage à mettre ce Décret dûment à exécution.

VI. Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, Sa Majesté l'Empereur des Français, et Sa Majesté l'Empereur de Toutes les Russies, sont convenues de faire abandon, en faveur de Sa Majesté le Roi George I, chacune de 4,000 livres sterling par an, sur les sommes que le Trésor Grec s'est engagé à payer annuellement à chacune d'elles, en vertu de l'arrangement conclu à Athènes par le Gouvernement Grec, avec le concours des Chambres Grecques, au mois de Juin 1860.

Il est expressément entendu que ces 3 sommes, formant un total de 12,000 livres sterling annuellement, seront destinées à constituer une dotation personnelle de Sa Majesté le

\* Agreed to by Austria and Prussia also. See State Papers. Vol. 54. Page 39.

† See Page 526.



Roi George I, en sus de la Liste Civile fixée par la loi de l'Etat. L'avènement de Sa Majesté au Trône Hellénique n'apportera d'ailleurs aucun changement aux engagements financiers que la Grèce a contractés par l'Article XII de la Convention du 7 Mai, 1832, envers les Puissances garantes de l'emprunt, ni à l'exécution de l'engagement pris par le Gouvernement Hellénique, au mois de Juin, 1860, sur la représentation des 3 Cours.

VII. Majesté le Roi des Hellènes s'engage à prendre à sa charge tous les engagements et contrats légalement conclus par le Gouvernement des Etats Unis des Iles Ioniennes, ou en leur nom par la Puissance protectrice de ces Iles, conformément à la constitution des Iles Ioniennes, soit avec des Gouvernements Etrangers, soit avec des Compagnies et Associations, soit avec des individus privés ; et promet de remplir les dits engagements et contrats dans toute leur étendue, comme s'ils avaient été conclus par Sa Majesté ou par le Gouvernement Hellénique. Dans cette catégorie se trouvent spécialement compris : la dette publique des Iles Ioniennes ; les privilèges concédés à la Banque Ionienne, à la Compagnie Maritime connue sous le nom de Lloyds Autrichien, conformément à la Convention Postale du 1 Décembre, 1853, et à la Compagnie de Gaz de Malte et de la Méditerranée.

VIII. Sa Majesté le Roi des Hellènes promet de prendre à sa charge :—

1. Les pensions accordées à des sujets Britanniques par le Gouvernement Ionien, conformément aux règles établies aux Iles Ioniennes en matière de pensions.

2. Les indemnités dues à certains individus actuellement au service du Gouvernement Ionien, lesquels perdront leurs emplois par suite de l'union des Iles à la Grèce.

3. Les pensions dont plusieurs sujets Ioniens jouissent, en rémunération de services rendus au Gouvernement Ionien.

Une Convention spéciale, conclue entre Sa Majesté Britannique et Sa Majesté le Roi des Hellènes, déterminera le chiffre de ces différentes allocations, et règlera le mode de leur paiement.\*

IX. Les autorités civiles et les forces militaires de Sa Majesté Britannique seront retirées du territoire des Etats Unis des Iles Ioniennes dans l'espace de 3 mois, ou plus tôt si faire se peut, après la ratification du présent Traité.

X. Le présent Traité sera ratifié, et les ratifications en seront échangées à Londres dans le délai de 6 semaines, ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé, et y ont apposé le cachet de leurs armes.

Fait à Londres, le 29 Mars, l'an de grâce, 1864.

(L.S.) RUSSELL.

(L.S.) CH. TRICOUPI.

(L.S.) LA TOUR D'AUVERNE.

(L.S.) BRUNNOW.

\* See Page 520.

**CONVENTION** *between Great Britain and Greece, respecting the Claims of British Subjects and others for Services in the Ionian Islands. Signed at London, March 29, 1864.\**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Hellenes, being desirous to make arrangements with regard to the claims of British subjects and other individuals in respect of services rendered to the Government of the United States of the Ionian Islands while those States were under the protection of Her Britannic Majesty, have agreed to conclude a Convention for that purpose, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Earl Russell, Viscount Amberley of Amberley and Ardsalla, a Peer of the United Kingdom, Knight of the Most Noble Order of the Garter, a Member of Her Majesty's Most Honourable Privy Council, Her Principal Secretary of State for Foreign Affairs:

And His Majesty the King of the Hellenes, the Sieur Charilaüs S. Tricoupi, a Member of the National Assembly of the Hellenes;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

ART. I. Whereas pensions have been granted at various times to British subjects by the

SA Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté le Roi des Hellènes, désirant faire des arrangements relatifs aux prétentions de sujets Britanniques et autres individus à raison de services rendus au Gouvernement des Etats Unis des Iles Ioniennes pendant que ces Etats se trouvaient sous la protection de Sa Majesté Britannique, ont résolu de conclure une Convention à cet effet, et ont nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable Jean Comte Russell, Vicomte Amberley de Amberley et Ardsalla, Pair du Royaume Uni, Chevalier du Très Noble Ordre de la Jarretière, Conseiller de Sa Majesté Britannique en Son Conseil Privé, Son Principal Secrétaire d'Etat pour les Affaires Etrangères;

Et Sa Majesté le Roi des Hellènes, le Sieur Charilaüs S. Tricoupi, Représentant à l'Assemblée Nationale des Hellènes;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, ont arrêté et conclu les Articles suivants:

ART. I. Considérant qu'à différentes époques des pensions ont été accordées à des sujets

\* Ratifications exchanged at London, April 25, 1864.

Ionian Government, or are at the present moment about to be granted, in pursuance of the established rules in force in the Ionian Islands on the subject of pensions; and whereas the amount of such pensions is 7,403*l.* 8*s.* 4*d.* sterling a-year, as by the Schedule A hereto annexed, His Majesty the King of the Hellenes agrees that, after provision shall have been made for the sum of 10,000*l.* sterling a-year, mentioned in Article V of the Treaty signed on this day\* between their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, and the Emperor of All the Russias on the one part, and His Majesty the King of the Hellenes on the other part, the said amount shall form the next charge upon the Customs revenue of Corfu and of the other Ionian Islands, and shall be paid by half-yearly instalments to Her Britannic Majesty's Consul at Corfu, for the purpose of being paid in detail to the several persons entitled to the said pensions.

And whereas it has become necessary to grant compensation allowances to certain other persons now in the service of the Ionian Government, who will lose their respective employments in consequence of the union of the Ionian Islands with Greece; and whereas such allowances amount to 3,272*l.* 12*s.* sterling a-year, as by the Schedule B hereto annexed; His Majesty

Britanniques par le Gouvernement Ionien, ou qu'elles vont être accordées actuellement, en conformité aux règles établies aux Iles Ioniennes en matière de pensions; allocations dont le total s'élève à la somme de 7,403*l.* 8*s.* 4*d.* sterling par an, d'après la Liste A ci-annexée, Sa Majesté le Roi des Hellènes promet, qu'après avoir pourvu au payement de la somme de 10,000*l.* sterling par an, mentionnée à l'Article V du Traité signé aujourd'hui\* entre leurs Majestés la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, l'Empereur des Français, et l'Empereur de Toutes les Russies, d'une part, et Sa Majesté le Roi des Hellènes de l'autre part, la susdite allocation constituera la seconde charge à prélever sur les revenus de la Douane de Corfou et des autres Iles Ioniennes, payable par semestre au Consul de Sa Majesté Britannique à Corfou, pour être répartie parmi les individus appelés à jouir de ces pensions.

Prenant également en considération la nécessité d'accorder des indemnités à certains autres individus actuellement au service du Gouvernement Ionien, lesquels perdront leurs emplois respectifs par suite de l'union des Iles Ioniennes à la Grèce; allocation dont le total s'élève à 3,272*l.* 12*s.* sterling par an, d'après la Liste B ci-annexée; Sa Majesté le Roi des Hellènes

\* See Page 515.

the King of the Hellenes agrees that the said amount shall form a charge upon the revenues of the Kingdom of Greece, and shall be paid by half-yearly instalments to Her Britannic Majesty's Minister at Athens, for the purpose of being paid in detail to the several persons entitled to the said compensation allowances.

These several pensions and allowances shall become chargeable to and payable by the Government of Greece from and after the cessation of British authority in the Ionian Islands; and accordingly the first payments shall be made to Her Britannic Majesty's Consul at Corfu and to Her Britannic Majesty's Minister at Athens 10 days before the 31st of March, 30th of June, 30th of September, or 31st of December, which may next follow the day of the cessation of British authority in the Ionian Islands; and afterwards the payments shall be made 10 days before the expiration of every subsequent half-year.

And whereas certain Ionian subjects are in the enjoyment of pensions granted to them for services under the Ionian Government, His Majesty the King of the Hellenes undertakes that their rights to such pensions shall be respected, and that they shall duly continue to receive the same. The British Minister at Athens, after receiving a list of such pensions from the Lord High Commissioner of Her Britannic Majesty, shall deliver the same to the Minister for Foreign

promet que la dite somme sera prise à la charge des revenus du Royaume de Grèce, et qu'elle sera versée, par semestre, entre les mains du Ministre de Sa Majesté Britannique à Athènes, pour être répartie parmi les individus appelés à participer à ces indemnités.

Les dites pensions et indemnités seront payables à la charge du Gouvernement Hellénique, après la cessation de l'autorité Britannique aux Iles Ioniennes. En conséquence les premiers paiements dûs au Consul de Sa Majesté Britannique à Corfou, et au Ministre de Sa Majesté Britannique à Athènes, devront être effectués 10 jours avant la date du 31 Mars, du 30 Juin, du 30 Septembre, ou du 31 Décembre, date qui viendra à échoir après le jour où cessera l'autorité Britannique aux Iles Ioniennes. Subséquemment ces paiements se feront 10 jours avant l'échéance de chaque semestre.

Considérant enfin que plusieurs sujets Ioniens jouissent de pensions qui leur ont été accordées en rémunération de services rendus au Gouvernement Ionien, Sa Majesté le Roi des Hellènes s'engage à faire respecter le droit des titulaires, de manière à ce qu'ils continuent à toucher dûment ces pensions. Le Ministre Britannique à Athènes, après avoir reçu du Lord Haut Commissaire de Sa Majesté Britannique la liste de ces pensions, la remettra au Ministre des



Affairs of Greece, and no Ionian subject shall have a claim upon His Hellenic Majesty on account of being at present in the enjoyment of any pension, unless the same be included in such list.

## SCHEDULE A.

Persons entitled to pensions from the revenues of the Ionian Islands :

Name.	Amount.		
	£	s.	d.
Baker, Henry .. ..	554	3	2
Barr, E. F. . . . .	500	0	0
Blair, William .. ..	710	0	0
Boyd, A. F. . . . .	416	13	4
Cologan, J. B. . . .	135	0	0
Colthurst, Captain .	97	10	0
Falcona, James .. ..	115	6	8
Fraser, Sir J. . . . .	510	0	0
Gisborne, T. J. . . .	382	10	0
Hatton, Charles .. ..	80	13	0
Hunter, James .. ..	66	13	4
Hunter, John .. .. .	200	0	0
Kirkpatrick, John. .	732	10	0
Lawrence, Captain .	150	0	0
Marchis, Giovanni. .	39	10	0
Peas, Thomas .. .. .	30	0	0
Raqueneau, Captain .	351	12	3
Reid, Captain .. .. .	191	12	6
Reid, Sir James .. ..	710	0	0
Reynolds, W. L. . . .	238	6	8
Stenhouse, Robert. .	190	13	4
Stevens, G. A. . . . .	29	5	0
Stevens, George .. ..	135	0	0
Stevens, Richard .. .	158	13	4
Thompson, Lieutenant	16	5	0
Wilson, J. . . . .	24	0	0
Woodhouse, James .	637	10	0
<hr/>			
£7,403 8 4			

## SCHEDULE B.

Persons whose allowances for loss of office are to be payable by the Greek Government to Her Britannic Majesty's Minister at Athens :

Affaires Etrangères de Grèce. Aucun sujet Ionien n'aura à réclamer de Sa Majesté Hellénique une pension, en prétendant qu'il y avait actuellement droit, à moins que son nom n'ait été porté sur la dite liste.

## TABLE A.

Liste des individus appelés à toucher des pensions sur les revenus des Iles Ioniennes :

Nom.	Allocation.		
	£	s.	d.
Baker, Henry .. ..	554	3	2
Barr, E. F. . . . .	500	0	0
Blair, William .. ..	710	0	0
Boyd, A. F. . . . .	416	13	4
Cologan, J. B. . . .	135	0	0
Colthurst, Captain. .	97	10	0
Falcona, James .. ..	115	6	8
Fraser, Sir J. . . . .	510	0	0
Gisborne, T. J. . . .	382	10	0
Hatton, Charles .. ..	80	13	0
Hunter, James .. ..	66	13	4
Hunter, John .. .. .	200	0	0
Kirkpatrick, John. .	732	10	0
Lawrence, Captain .	150	0	0
Marchis, Giovanni. .	39	10	0
Peas, Thomas .. .. .	30	0	0
Raqueneau, Captain .	351	12	3
Reid, Captain .. .. .	191	12	6
Reid, Sir James .. ..	710	0	0
Reynolds, W. L. . . .	238	6	8
Stenhouse, Robert. .	190	13	4
Stevens, G. A. . . . .	29	5	0
Stevens, George .. ..	135	0	0
Stevens, Richard .. .	158	13	4
Thompson, Lieutenant	16	5	0
Wilson, J. . . . .	24	0	0
Woodhouse, James .	637	10	0
<hr/>			
£7,403 8 4			

## TABLE B.

Liste des individus lesquels, en compensation de la perte de leurs emplois, auront à recevoir une indemnité, payable par le Gouvernement Grec au Ministre de Sa Majesté Britannique à Athènes :

Name.	Amount.	Nom.	Allocation.
£ s. d.	£ s. d.	£ s. d.	£ s. d.
Baker, Dr. B. .. ..	199 6 8	Baker, Dr. B. .. ..	199 6 8
Coccatto, Stelio .. ..	25 0 0	Coccatto, Stelio .. ..	25 0 0
Colquhoun, Sir P... ..	576 13 4	Colquhoun, Sir P... ..	576 13 4
Debiasi, Venerando. ..	12 2 8	Debiasi, Venerando. ..	12 2 8
Debiasi, Vincenzo .. ..	13 13 0	Debiasi, Vincenzo .. ..	13 13 0
Dendin, Stamato .. ..	9 2 0	Dendin, Stamato .. ..	9 2 0
Deverell, William .. ..	66 13 4	Deverell, William .. ..	66 13 4
D'Everton, Baron (Charles Sebright) .. ..	283 6 8	D'Everton, Baron (Charles Sebright) .. ..	283 6 8
Forrest, Captain .. ..	60 0 0	Forrest, Captain .. ..	60 0 0
Guiffé, Dom .. ..	23 8 0	Guiffé, Dom .. ..	23 8 0
Greenwood, James .. ..	16 13 4	Greenwood, James .. ..	16 13 4
Lane, Cecil .. ..	166 13 4	Lane, Cecil .. ..	166 13 4
Lazzaro, Spiro .. ..	11 14 0	Lazzaro, Spiro .. ..	11 14 0
Minari, Vassili .. ..	12 2 8	Minari, Vassili .. ..	12 2 8
Murray, Captain .. ..	150 0 0	Murray, Captain .. ..	150 0 0
Montanini, Captain .. ..	37 10 0	Montanini, Captain .. ..	37 10 0
Ongaro, Alberto .. ..	18 15 0	Ongaro, Alberto .. ..	18 15 0
Paoli, Ruggieri de .. ..	12 2 8	Paoli, Ruggieri de .. ..	12 2 8
Permis, Ferdinando .. ..	13 13 0	Permis, Ferdinando .. ..	13 13 0
Quinland, James .. ..	60 0 0	Quinland, James .. ..	60 0 0
Sargent, Sir Charles .. ..	576 13 4	Sargent, Sir Charles .. ..	576 13 4
Sella, Salvatore .. ..	12 2 8	Sella, Salvatore .. ..	12 2 8
Stegni, Giuseppe .. ..	13 13 0	Stegni, Giuseppe .. ..	13 13 0
Torrini, Matthew .. ..	75 0 0	Torrini, Matthew .. ..	75 0 0
Wodehouse, Colonel Honourable B. .. ..	250 0 0	Wodehouse, Colonel Honourable B. .. ..	250 0 0
Wolff, Sir H. D. .. ..	576 13 4	Wolff, Sir H. D. .. ..	576 13 4
	<u>£3,272 12 0</u>		<u>£3,272 12 0</u>

Besides the foregoing annual allowances, there shall be paid to the persons mentioned below, as compensation for the abolition of their offices, the amount of their salaries for one year, that is to say:

	£
Alexander, Otho .. ..	52
Bulwer, Henry .. ..	300
Thomas, — .. ..	78
	<u>£430</u>

II. In the month of January of every year the Minister of Her Britannic Majesty at Athens shall deliver to the Minister for Foreign Affairs of His Majesty the King of the Hellenes, a list of the persons entitled to pensions and compensations in virtue of the preceding Article. In prepar-

Outre les allocations annuelles qui précèdent, il sera payé aux personnes ci-dessous spécifiées, à titre de compensation de l'abolition de leurs emplois, le montant de leurs salaires pour une année, savoir :

	£
Alexander, Otho .. ..	52
Bulwer, Henry .. ..	300
Thomas, — .. ..	78
	<u>£430</u>

II. Dans le mois de Janvier de chaque année le Ministre de Sa Majesté Britannique à Athènes remettra au Ministre des Affaires Etrangères de Sa Majesté le Roi des Hellènes une liste des ayants-droit à des pensions et à des indemnités en vertu de l'Article précédent. En préparant cette liste on

ing such list there shall be withdrawn from the list of the preceding year the names of such persons as shall have died, and also the names of such persons as shall have accepted offices from the Crown of Great Britain to the full amount of the pension or compensation to which they are entitled; and deduction shall moreover be made from the amount of pension or compensation to be paid to other persons left on the list, of the amount of salary due to them in respect of any offices to which they may have been appointed, which yield an income less than the full amount of the allowances due to them.

III. The present Convention shall be ratified, and the ratifications shall be exchanged at London at the same time as the ratifications of the Treaty of this day.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London the 29th day of March, in the year of our Lord, 1864.

(L.S.) RUSSELL.  
(L.S.) CH. TRICOUPI.

retranchera de celle de l'année précédente les noms des personnes qui seront décédées, et aussi de celles qui auront accepté de la Couronne Britannique des emplois dont la rétribution atteigne le montant entier de la pension ou de l'indemnité à laquelle ils ont droit. En outre, le montant de la pension ou de l'indemnité des personnes dont les noms seront conservés sur la liste sera réduit du montant des salaires qui seraient dûs à ces personnes pour des emplois auxquels ils auraient été nommés, et dont la rétribution serait moindre que le montant entier des allocations qui leur sont dues.

III. La présente Convention sera ratifiée, et les ratifications en seront échangées à Londres en même temps que les ratifications du Traité de ce jour.

En foi de quoi les Plénipotentiaires respectifs l'ont signée, et y ont apposé le cachet de leurs armes.

Fait à Londres, le 29 Mars, de l'an de grâce 1864.

(L.S.) RUSSELL.  
(L.S.) CH. TRICOUPI.

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PROTOCOLS of Conferences between Austria, France, Great Britain, Prussia, and Russia, relating to the Affairs of Greece. January to March, 1864.

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(No. 1.)—*Protocole (A) de la Conférence tenue au Foreign Office, le 25 Janvier, 1864. (Naval and Military Forces on Islands not to be limited. Neutrality of Corfu and Paxo.)*

PRESENTS: Les Plénipotentiaires d'Autriche, de France, de la Grande Bretagne, de Prusse, et de Russie.

Le Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères s'étant entendu avec les Plénipotentiaires de France et de Russie, a annoncé que les 3 Cours Protectrices s'accordent unanimement à penser—

1. Qu'il n'y a pas lieu d'insister sur la limitation des forces navales et militaires que la Grèce entretiendra dans les Iles Ioniennes, ainsi que le porte l'Article II du Traité du 14 Novembre.\*

2. Que les avantages de la neutralité établie par le même Article en faveur des 7 Iles devront s'appliquer seulement aux Iles de Corfou et de Paxo, ainsi qu'à leurs dépendances.

Afin de réaliser la pensée des Puissances signataires du Traité du 14 Novembre, le Principal Secrétaire d'Etat est d'avis qu'il suffit d'insérer dans le Traité à conclure avec la Grèce, un Article conçu dans les termes suivants :—

“Les Cours de France, de la Grande Bretagne, et de Russie, en leur qualité de Puissances garantes de la Grèce, déclarent, avec l'assentiment des Cours d'Autriche et de Prusse, que les Iles de Corfou et de Paxo, ainsi que leurs dépendances, après leur réunion au Royaume Hellénique, jouiront des avantages d'une neutralité perpétuelle.

“Sa Majesté le Roi des Hellènes s'engage, de son côté, à maintenir cette neutralité.”

Les Plénipotentiaires d'Autriche et de Prusse ont donné leur adhésion aux deux modifications ci-dessus mentionnées, ainsi qu'à la rédaction de l'article proposé par les Plénipotentiaires des 3 Puissances Protectrices.

APPONYI.

LA TOUR D'AUVERGNE.

RUSSELL.

BERNSTORFF.

BRUNNOW.

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(No. 2.)—*Protocole (B) de la Conférence tenue au Foreign Office, le 25 Janvier, 1864. (Commerce, Navigation, Customs Duties, and Postal Arrangements with Foreign Countries, liable to Alteration. Maintenance of Privileges of Austrian Lloyds Company. Reservation of Rights of Prussia and States of the Zollverein.)*

PRESENTS: Les Plénipotentiaires d'Autriche, de France, de la Grande Bretagne, de Prusse, et de Russie.

Le Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères, en ouvrant la séance, a annoncé que les Plénipotentiaires des Cours de France, de la Grande Bretagne, et de Russie, conformément à la teneur de l'Article VI du Traité conclu à Londres, le 14 Novembre, 1863\*, sont entrés déjà en communication avec le Gouvernement Hellénique, sur les arrangements que pourra nécessiter la réunion des Iles Ioniennes à la Grèce.

\* See Vol. 11. Page 1107.



Afin de faciliter le succès de cette négociation, le Principal Secrétaire d'Etat a signalé l'opportunité de compléter, par un Protocole explicatif, les stipulations contenues dans l'Article IV, afin d'en préciser le sens de manière à prévenir toute fausse interprétation.

Dans ce but, il a constaté que les avantages acquis à la navigation et au commerce étrangers, en vertu des Traités conclus par le Gouvernement de Sa Majesté Britannique, en sa qualité de Protectrice de l'Etat Ionien, ne sont point permanents, mais limités dans leur durée. Par conséquent, ils ont besoin d'être renouvelés ou modifiés par de nouveaux arrangements, à l'époque où les Conventions en vertu desquelles ces avantages ont été concédés viendront à expirer, après les notifications d'usage.

A l'échéance de ce terme, le Gouvernement Hellénique aura la faculté de s'entendre avec les Puissances étrangères sur les arrangements à prendre, de gré à gré, pour régler les questions de commerce, de douane, de navigation, de communications postales, &c., dans un esprit favorable au développement des relations réciproques des pays respectifs.

Après cet exposé, le principal Secrétaire d'Etat a invité les Plénipotentiaires, réunis en Conférence, à échanger leurs idées sur l'application des principes qu'il a cru devoir déférer à leur examen.

M. l'Ambassadeur d'Autriche a énoncé à ce sujet l'opinion de sa Cour dans les termes ci-après :

Le Cabinet Impérial, en adhérant à la réunion des Iles Ioniennes au Royaume Hellénique, a cru devoir veiller, avec soin, à ce que ce changement, apporté à l'existence politique de l'Etat Septinsulaire, n'altérât en rien les avantages assurés aux sujets Autrichiens par les Traités et les Conventions conclus et actuellement en vigueur aux Iles Ioniennes, sous le régime du protectorat Anglais.

Dans cette vue, le Cabinet Impérial a essentiellement tenu à sauvegarder le maintien des privilèges légalement concédés à la Compagnie du Lloyd Autrichien. Ils se réfèrent principalement aux facilités accordées à la navigation du Lloyd, et consistent notamment dans la *libera practica*, et dans l'exemption des droits de port, dont cette Compagnie jouit dans les Iles Ioniennes, en vertu de la Convention Postale conclue le 1 Décembre, 1853.

Le Traité de Commerce entre l'Autriche et la Grèce est loin de concéder les mêmes avantages à la navigation Autrichienne. Il s'en suit, que si, en fréquentant désormais les ports Ioniens, les bâtiments du Lloyd étaient soumis aux réglemens en vigueur en Grèce, ils éprouveraient un dommage réel. De plus, le cabotage étant réservé en Grèce à la navigation indigène, on pourrait, du moment où les ports Ioniens deviendraient

Greco, contester aux navires du Lloyd le droit de faire, comme à présent, leurs voyages réguliers entre les ports Ioniens et les ports Grecs.

Le paragraphe 3 de l'Article IV du Traité du 14 Novembre dernier a eu pour but d'obvier à cet inconvénient.

Le Cabinet Impérial est en droit de réclamer l'application pleine et entière du paragraphe précité en faveur des bateaux de la Compagnie du Lloyd ; il consent cependant, à titre de concession, à ce que les dispositions de ce paragraphe ne restent en vigueur que jusqu'à la conclusion de nouvelles Conventions formelles ou d'arrangements destinés à régler entre les parties intéressées les questions de commerce, de navigation, ainsi que celles du service régulier des communications postales.

De même, le Cabinet Impérial reconnaît au Gouvernement Hellénique le droit inhérent à chaque Etat indépendant d'élever ou d'abaisser ses tarifs de douane par mesures de législation intérieure.

M. l'Ambassadeur d'Autriche a tenu à constater, d'ordre de sa Cour, que le fait de la réunion des Iles Ioniennes à la Grèce ne saurait porter préjudice aux droits acquis au commerce et à la navigation de l'Autriche, en vertu de Traités actuellement en vigueur, aussi longtemps que de nouveaux arrangements à ce sujet n'auront pas été conclus entre les parties intéressées. Il a cru pouvoir insister d'autant plus sur ce point, que son Gouvernement avait le droit incontestable de s'en tenir purement et simplement aux stipulations du Traité du 14 Novembre dernier.

M. l'Ambassadeur de Prusse a donné à la déclaration ci-dessus son complet assentiment ; en constatent également, d'ordre de sa Cour, que le fait de la réunion des Iles Ioniennes à la Grèce ne saurait porter préjudice aux droits acquis au commerce et à la navigation de la Prusse et des autres Etats du Zollverein en vertu des Traités actuellement en vigueur.

Le Principal Secrétaire d'Etat de Sa Majesté Britannique, ainsi que les Ambassadeurs de France et de Russie, ont apprécié la justesse de ces explications, et exprimé l'intention d'en tenir compte dans la poursuite de la négociation confiée à leurs soins.

Dans ce but, le Principal Secrétaire d'Etat de Sa Majesté Britannique s'est chargé, au nom de la Conférence, de porter le présent Protocole explicatif à la connaissance du Cabinet d'Athènes.

APPONYI.  
LA TOUR D'Auvergne.  
RUSSELL.

BERNSTORFF.  
BRUNNOW.

(No. 3.)—*Protocole de la Conférence tenue au Foreign Office, le 29 Mars, 1864. (Religion of the King.)*

PRESENTS: Les Plénipotentiaires de France, de la Grande Bretagne, de Russie, et de Grèce.

Le Plénipotentiaire de Sa Majesté Hellénique déclare que le Roi George est décidé à maintenir, dans toute son intégrité, la clause du Décret concernant son élection, en vertu de laquelle ses héritiers et successeurs légitimes au Trône de Grèce doivent professer les dogmes de l'Eglise Orthodoxe d'Orient.

Les Plénipotentiaires de France, de la Grande Bretagne, et de Russie, ont résolu de déposer la présente déclaration aux actes de la Conférence.

LA TOUR D'AUVERGNE.  
RUSSELL.

BRUNNOW.  
CH. TRICOUPL.

*ACT of the British Parliament, for authorizing the Relinquishment in favour of the King of the Hellenes, of certain Money payable in respect of the Greek Loan.*

[27 & 28 Victoria, cap. 40.]

[July 14, 1864.]

WHEREAS by the Act of the session of the 2nd and 3rd years of his late Majesty King William IV, chapter 21,\* "to enable His Majesty to carry into effect a Convention made between His Majesty and the King of the French and Emperor of All the Russias and the King of Bavaria," after recitals showing that his said late Majesty and the then King of the French and the then Emperor of All the Russias had entered into undertakings for the guaranteeing of a loan to be contracted by Prince Otho of Bavaria as King of Greece, his said late Majesty, his heirs and successors, were authorized to guarantee such loan upon the terms and conditions therein referred to, and the Commissioners of the Treasury of the United Kingdom were empowered out of the Consolidated Fund to issue such sums as in the said Act were mentioned:

And whereas the said Act was amended by the Act of the session of the 6th and 7th years of his said late Majesty, chapter 94:†

And whereas the said loan was contracted, and certain sums have been issued out of the Consolidated Fund in pursuance of the said Acts:

And whereas in the month of June, 1860,‡ an arrangement was concluded at Athens by the Greek Government, with the concurrence of the Greek Chambers, in virtue whereof the Greek Treasury engaged with Her Majesty and the Emperor of the French and the Emperor of All the Russias, as the

\* See Vol. 4. Page 326.  
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† See Vol. 5. Page 286

‡ See Page 513.  
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guarantors of the said loan, to pay certain sums annually to each of them :

And whereas by a Treaty made and signed at London on the 13th day of July, 1863\* (and duly ratified), between Her Majesty and the Emperor of the French and the Emperor of All the Russias on the one part, and the King of Denmark on the other part, the King of Denmark, in accordance with the Prince Christian of Denmark acting in the character of guardian of his son the Prince Christian William Ferdinand Adolphus George, accepted for that Prince, a minor, the Hereditary Sovereignty of Greece, offered to him as therein mentioned :

And whereas an Article was agreed on between the said Contracting Parties to the following effect ; namely,

“ Article X. Each of the 3 Courts will give up in favour of Prince William of Denmark 4,000*l.* a-year out of the sums which the Greek Treasury has engaged to pay annually to each of them in pursuance of the arrangement concluded at Athens by the Greek Government, with the concurrence of the Chambers, in the month of June, 1860 :

“ It is expressly understood that these 3 sums, forming a total of 12,000*l.* sterling annually, shall be destined to constitute a personal dotation of His Majesty the King, in addition to the Civil List fixed by the law of the State :”

And whereas by another Treaty made and signed at London on the 29th day of March, 1864† (and duly ratified), between Her Majesty and the Emperor of the French and the Emperor of All the Russias on the one part, and the King of the Hellenes on the other part, Her Majesty and the Emperor of the French and the Emperor of All the Russias declared that Greece, within the limits therein mentioned, including the Ionian Islands, should form a monarchical, independent, and constitutional State, under the sovereignty of His Majesty King George, and under the guarantee of the 3 Courts :

And whereas an Article was agreed on between the last-mentioned Contracting Parties to the following effect ; namely,

“ Article VI. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of the French, and His Majesty the Emperor of All the Russias, agree to relinquish in favour of His Majesty King George I each 4,000*l.* sterling a-year out of the sums which the Greek Treasury has engaged to pay annually to each of them, in virtue of the arrangement concluded at Athens by the Greek Government, with the concurrence of the Greek Chambers, in the month of June, 1860 ;

“ It is expressly understood that these 3 sums, forming a total of 12,000*l.* sterling annually, shall be destined to con-

\* See Vol. 11. Page 1105.

† See Page 515.



stitute a personal dotation of His Majesty King George I, in addition to the Civil List fixed by the law of the State. The accession of His Majesty to the Hellenic Throne shall not otherwise involve any change in the financial engagements which Greece has contracted by Article XII of the Convention of May 7, 1832,\* towards the Powers guarantors of the loan, nor in the execution of the engagement taken by the Hellenic Government in the month of June, 1860, upon the representation of the 3 Courts:”

And whereas it is expedient that the recited Articles of the said Treaties as far as they relate to the engagements on the part of Her Majesty therein comprised be confirmed, and that provision be made to give effect to those engagements:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The recited Articles of the said Treaties, as far as they relate to the engagements on the part of Her Majesty therein respectively comprised, are hereby confirmed.

2. It shall be lawful for the Commissioners of Her Majesty's Treasury to relinquish in favour of King George I, the King of the Hellenes, during his reign, the sum of 4,000*l.* sterling a-year in the recited Articles mentioned, and accordingly to the extent of a sum of 4,000*l.* sterling a-year during the reign of the said King to release the Greek Treasury from the obligation of the arrangement concluded at Athens, in the month of June, 1860, as aforesaid.

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## HAMBURGH.

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CONVENTION *between the General Post Office of Great Britain and Ireland and the Post Office of the Free Hanseatic Republic of Hamburg.*—Signed at <sup>Hamburg, 5th</sup><sub>London, 9th</sub> December, 1862.

THE General Post Office of the United Kingdom of Great Britain and Ireland, and the Post Office of Hamburg, being desirous of regulating, by means of a new Convention, the communications by post between the United Kingdom and Hamburg,

The Undersigned, Sir Rowland Hill, Knight Commander of the Most Honourable Order of the Bath, Secretary of the General Post Office, furnished with full powers from the Right Honourable Lord Stanley of Alderley, Postmaster General of

\* See Vol. 4. Page 313.

the United Kingdom of Great Britain and Ireland, and Carl Gustav Hencke, Director of the Hamburg Post Office, furnished with full powers from the Senate of the Free Hanseatic Republic of Hamburg,

After having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:—

ART. I. There shall be a periodical and regular exchange of correspondence between the United Kingdom of Great Britain and Ireland and Hamburg, as well for letters and book packets originating in the United Kingdom or in Hamburg, as for articles of the same nature originating in or destined for the countries the correspondence of which is forwarded through Great Britain or through Hamburg.

II. It is agreed that the British Post Office shall make use of the right which it possesses, under the Postal Convention between Great Britain and Belgium, of exchanging closed Mails with the Hamburg Post Office through the Belgian territory.

The British Post Office shall pay to the Post Office of Belgium the transit postage due to that office for the transit of the letters contained in the closed Mails in both directions exchanged between the United Kingdom and Hamburg, and the Hamburg Post Office shall repay to the British Post Office, at the expiration of every quarter,  $\frac{1}{2}$  of the total amount paid to Belgium on account of such transit during the quarter.

III. Independently of the correspondence which shall be exchanged between the British Post Office and the Post Office of Hamburg by the route pointed out in the preceding Article, those offices may mutually forward from one to the other letters and book packets by merchant ships plying between the British ports of London, Hull, or Leith, and Hamburg.

IV. Persons desirous of sending ordinary letters, that is to say letters not registered, either from the United Kingdom of Great Britain and Ireland to Hamburg, or from Hamburg to the United Kingdom of Great Britain and Ireland, whether *viâ* Belgium or direct by private ship, shall have the option of leaving the postage of such letters to be paid by the receivers or of paying the postage in advance to the place of destination.

V. The total amount of postage to be collected in the United Kingdom upon paid letters originating in the United Kingdom, addressed to Hamburg, as well as upon unpaid letters originating in Hamburg, addressed to the United Kingdom, whether conveyed *viâ* Belgium or direct by private ship, shall be as follows:—

For every single paid letter, 6*d.*

For every single unpaid letter, 8*d.*

Reciprocally, the total amount of postage to be collected in Hamburg upon paid letters originating in Hamburg, addressed to the United Kingdom, as well as upon unpaid letters originating in the United Kingdom, addressed to Hamburg, whether conveyed *viâ* Belgium or direct by private ship, shall be as follows:

For every single paid letter, 5 silver groschen.

For every single unpaid letter, 7 silver groschen.

VI. With respect to letters above the weight of a single letter, which is fixed at  $\frac{1}{2}$  an ounce in the United Kingdom, and at 1 zoll loth in Hamburg, the British Office shall apply the following scale of progression for all letters the postage of which is collected in the United Kingdom, viz.:

For every letter exceeding  $\frac{1}{2}$  an ounce, and not exceeding 1 ounce, 2 rates of postage.

For every letter exceeding 1 ounce, and not exceeding 2 ounces, 4 rates of postage.

For every letter exceeding 2 ounces, and not exceeding 3 ounces, 6 rates of postage.

And so on, 2 rates being added for every additional ounce.

And the Hamburg office shall apply the following scale of progression for all letters, the postage of which is collected in Hamburg, viz.:

For every letter weighing a zoll loth, but under 2 zoll loth, 2 rates of postage.

For every letter weighing 2 zoll loth, but under 3 zoll loth, 3 rates of postage.

And so on, an additional rate of postage being charged for every zoll loth.

VII. The Post Offices of Great Britain and Hamburg shall mutually account to each other for the portion of the postage which is due to each upon the letters despatched from one office to the other.

The British Post Office shall pay to the Hamburg Post Office for every single paid letter originating in the United Kingdom, addressed to Hamburg and conveyed *viâ* Belgium, the sum of 3*d.*, and for every single unpaid letter originating in Hamburg, addressed to the United Kingdom and conveyed *viâ* Belgium, the sum of 4*d.*

The British Post Office shall pay to the Hamburg Post Office for every single paid letter originating in the United Kingdom addressed to Hamburg and conveyed direct by private ship, the sum of 1 $\frac{1}{2}$ *d.*, and for every single unpaid letter originating in Hamburg, addressed to the United Kingdom, and conveyed direct by private ship, the sum of 2*d.*

The Hamburg Post Office, on the other hand, shall pay to the British Post Office for every single paid letter originating in Hamburg, addressed to the United Kingdom, and conveyed

*viâ* Belgium, the sum of 2½ silver groschen, and for every single unpaid letter originating in the United Kingdom, addressed to Hamburg, and conveyed *viâ* Belgium, the sum of 3½ silver groschen.

The Hamburg Post Office shall pay to the British Post Office for every single paid letter originating in Hamburg, addressed to the United Kingdom, and conveyed direct by private ship, the sum of 3 silver groschen 9 pfenning, and for every single unpaid letter originating in the United Kingdom, addressed to Hamburg, and conveyed direct by private ship, the sum of 5 silver groschen 3 pfenning.

For every letter above the weight of a single letter each office shall pay to the other an increased amount according to the scale of progression adopted in that country in which the postage is collected.

VIII. When the postage stamps affixed to a letter forwarded from the United Kingdom to Hamburg, or from Hamburg to the United Kingdom, shall represent a sum less than that required for its prepayment, at the rate of 6*d.*, or 5 silver groschen, for a single letter, such letter shall be considered as unpaid, and charged as such, after deducting the value of those stamps.

The amount of the sums paid, as well by the senders of insufficiently paid letters as by the persons to whom those letters are addressed, shall be equally divided between the Post Office of Hamburg and the British Post Office.

IX. In all cases in which a fee or other charge, in addition to the rates of postage specified in this Convention, is levied in Hamburg upon the delivery of paid or unpaid letters originating in the United Kingdom, ½ of the amount of such fee or other charge shall be paid to the British Post Office by the Post Office of Hamburg.

Reciprocally, in the event of a fee or other charge, in addition to the rates of postage specified in this Convention, being at any time levied in the United Kingdom upon the delivery of paid or unpaid letters originating in Hamburg, ½ of the amount of such fee or other charge shall be paid to the Post Office of Hamburg by the British Post Office. It is understood, however, that this stipulation does not apply to the payments voluntarily made to letter carriers for delivering letters to persons residing beyond the prescribed limits within which a free delivery takes place in any town or village in the United Kingdom or in Hamburg.

The two offices shall settle by mutual consent the mode in which the amount due to each as its share of the fees or additional charges levied either in Hamburg or in the United Kingdom is to be ascertained and brought to account.

X. The British Post Office shall pay to the Hamburg Post



Office for the territorial conveyance, through Hamburg, of letters forwarded in open mails, in transit through Hamburg to or from countries or colonies beyond, viz.:

For every single paid letter originating in the United Kingdom, and addressed to such countries or colonies, the sum of  $2\frac{1}{2}$  silver groschen.

For every single unpaid letter originating in such countries or colonies, and addressed to the United Kingdom, the sum of  $3\frac{1}{2}$  silver groschen.

The British Post Office shall further pay to the Hamburg Post Office upon this class of letters, the foreign rate or rates paid by Hamburg to the foreign country or colony to, from, or through which the letter is forwarded.

The conditions under which letters sent in transit through Hamburg to or from the United Kingdom, shall be exchanged between the British Post Office and the Hamburg Post Office, in conformity with the foregoing stipulations, are shown in Table A, annexed to this Convention.

XI. The Hamburg Post Office shall pay to the British Post Office for the territorial conveyance, through the United Kingdom, of letters forwarded in open mails, in transit through the United Kingdom, to or from countries or colonies beyond sea, viz.:

For every single paid letter originating in Hamburg, and addressed to such countries or colonies, the sum of  $3d$ .

For every single unpaid letter originating in such countries or colonies, and addressed to Hamburg,  $4d$ .

The Hamburg Post Office shall further pay to the British Post Office upon this class of letters, the rate paid by the inhabitants of the United Kingdom for letters having the same origin or destination, from which rate, however, the sum of  $1d$ . shall be first deducted in all cases where such rate includes the British inland rate.

The conditions under which letters sent in transit through the United Kingdom or to or from Hamburg, shall be exchanged between the Hamburg Post Office and the British Post Office in conformity with the foregoing stipulations, are shown in Table B, annexed to this Convention.

XII. The British Post Office may deliver to the Hamburg Post Office registered letters addressed to Hamburg.

Reciprocally, the Hamburg Post Office may deliver to the British Post Office registered letters addressed to the United Kingdom.

The postage of registered letters shall always be paid in advance.

A fee, or additional charge, the amount of which the despatching office shall fix, may be levied over and above the postage to which such letters are liable, but no postage, duty, or tax other than that for delivery, referred to in Article IX pre-

ceding, shall be levied on the delivery of registered letters forwarded from the United Kingdom of Great Britain and Ireland to Hamburg, or *vice versa*.

The British Office shall account to the Hamburg Office for  $\frac{1}{2}$  the registration fee levied upon registered letters posted in the United Kingdom, and a like sum upon registered letters passing in transit through the United Kingdom addressed to Hamburg; and the Hamburg Office shall account to the British Office for  $\frac{1}{2}$  the registration fee levied upon registered letters posted in Hamburg, and a like sum upon registered letters passing in transit through Hamburg addressed to the United Kingdom.

XIII. The British Post Office may further deliver to the Hamburg Post Office registered letters addressed to Denmark, Sweden, or Norway.

And the Hamburg Post Office may further deliver to the British Post Office registered letters addressed to the United States of America (including California and Oregon), to Liberia, or to the British colonies of India, Malta, Gibraltar, Hong Kong, the British West Indies, the Cape of Good Hope, St. Helena, Natal, Ceylon, Mauritius, New South Wales, Victoria, Tasmania, South Australia, Western Australia, Queensland, New Zealand, Newfoundland, Bermuda, Canada, New Brunswick, Nova Scotia, Prince Edward Island, Sierra Leone, Gambia, the Gold Coast, and the Falkland Islands.

Upon registered letters addressed to Denmark, Sweden, and Norway, the British Office shall account to the Hamburg Office for  $\frac{1}{2}$  the registration fee levied in the United Kingdom.

On its side, the Hamburg Post Office shall account to the British Post Office, in addition to the postage due to the British Post Office, and to  $\frac{1}{2}$  the fee levied for the registration between Hamburg and the United Kingdom, for the sum of 5 silver groschen upon every registered letter addressed to any of the countries or colonies above enumerated.

XIV. Subject to the following conditions, book packets, including under that designation newspapers and printed papers of every kind, may be sent from Hamburg to the United Kingdom of Great Britain and Ireland, whether *via* Belgium or direct by private ship, at such rates of postage as may be fixed from time to time by the Hamburg Post Office, and from the United Kingdom to Hamburg at such rates of postage as may be fixed from time to time by the British Post Office:

1. The postage must be prepaid.
2. Book packets, insufficiently prepaid by means of postage stamps, shall be charged with double the amount of the deficiency. The produce of this charge shall be retained by the Office which collects it.
3. Every packet must be sent either without a cover, or in a

cover open at the ends or sides, so as to admit of the examination of its contents.

4. A book packet may contain any number of separate books or other publications, prints, or maps, whether printed, engraved, or lithographed, and whether on paper, parchment, or vellum, as also photographs on paper, parchment, or vellum; further, all legitimate binding, mounting, or covering of a book, publication, &c., or of a portion thereof, shall be allowed, whether such binding, &c., be loose or attached; as also rollers in the case of prints or maps, markers (whether of paper or otherwise), in the case of books, and, in short, whatever is necessary for the safe transmission of literary or artistic matter or usually appertains thereto; but no patterns or books of patterns (unless these consist merely of paper) shall be allowed.

5. No book packet may contain any writing, figures, or manual marks whatsoever.

6. No book packet must exceed 2 feet British in length, width, or depth, or 3 zoll pounds in weight.

XV. In exception to the stipulations of Article XIV preceding, it is agreed that ordinary corrections in writing shall be allowed in the case of book packets containing unbound proof sheets only.

XVI. The British Post Office shall pay to the Post Office of Hamburg, on such of the book packets mentioned in Article XIV preceding as shall originate in the United Kingdom of Great Britain and Ireland, as well as on prepaid book packets passing in transit through the United Kingdom, the sum of 5*d.* per zoll pound, net weight.

The Post Office of Hamburg on its side shall pay to the British Post Office on such of the book packets mentioned in Article XIV preceding as shall originate in Hamburg, as well as on prepaid book packets passing in transit through Hamburg, the sum of 4 silver groschen per zoll pound, net weight, for the entire service to be rendered by the British Post Office, and 4*d.* per zoll pound net weight in repayment of the transit rate to be paid to Belgium.

XVII. No postage whatever shall be charged by the Hamburg Post Office upon the delivery of book packets originating in the United Kingdom of Great Britain and Ireland, or upon prepaid book packets passing in transit through the United Kingdom, and addressed to Hamburg; and in like manner no postage whatever shall be charged by the British Post Office upon the delivery of book packets originating in Hamburg, or upon prepaid book packets passing in transit through Hamburg, and addressed to the United Kingdom of Great Britain and Ireland.

It is nevertheless understood that this provision does not in any way invalidate the right either of the British Office or

of the Hamburg Office to refuse to deliver newspapers or other printed papers, the importation of which may be prohibited by the laws and regulations of the country to which they are forwarded.

So long as any stamp duty, fee for delivery, or other charge is levied in Hamburg upon newspapers or other printed papers forwarded from the United Kingdom of Great Britain and Ireland, addressed to Hamburg and prepaid to destination, the whole amount of such stamp duty, fee for delivery, or other charge shall be paid over by the Hamburg Post Office to the British Post Office.

XVIII. The payments at the rate of 1*d.* per letter, and 1*d.* per 4 ounces for book packets on account of the sea conveyance of letters and book packets contained in the mails exchanged between the British Post Office and the Hamburg Post Office by means of private ships, shall be made to the commanders or owners of those ships as follows:

When the vessel employed is a Hamburg ship the payment shall be made by the Hamburg Post Office, and when the vessel employed is a British ship, the payment shall be made by the British Post Office.

The British Post Office shall reimburse the Hamburg Post Office the amount paid by the latter upon letters forwarded in either direction, as well as the amount paid upon book packets forwarded from the United Kingdom to Hamburg by a private ship belonging to Hamburg.

On its side, the Hamburg Post Office shall reimburse the British Post Office, the amount paid by the latter upon book packets forwarded from Hamburg to the United Kingdom by a private ship belonging to the United Kingdom.

XIX. The Post Office of Hamburg shall pay to the British Post Office for the conveyance across the United Kingdom of Great Britain and Ireland of book packets in transit which the British Post Office shall convey through its territory on account of the Post Office of Hamburg the sum of 5*d.* per zoll pound, net weight.

The Post Office of Hamburg shall further pay to the British Post Office for the sea conveyance of book packets which shall be conveyed, on account of the Post Office of Hamburg, by British mail packets or by private ships leaving or arriving at the ports of the United Kingdom of Great Britain and Ireland, the sum of 5*d.* per zoll pound, net weight.

In consideration of the expense incurred by the British Post Office for the conveyance of mails across the Isthmus of Suez or the Isthmus of Darien, the Post Office of Hamburg shall further pay to the British Post Office for book packets which the Post Office of Hamburg shall forward or receive by British mail packets and by way of either Isthmus, viz.:



For the conveyance of book packets across the Isthmus of Suez, a transit rate of 4*d.* per zoll pound, net weight.

For the conveyance of book packets across the Isthmus of Darien, a transit rate of 1*s.* per zoll pound, net weight.

Reciprocally, the British Post Office shall pay to the Post Office of Hamburg for the conveyance across the territory of Hamburg of book packets in transit which the Post Office of Hamburg shall convey through the territory of Hamburg, on account of the British Post Office, the sum of 5*d.* per zoll pound, net weight.

XX. The Post Office of Hamburg engages to grant the transit through the territory of Hamburg of the closed mails which the British Post Office may exchange in either direction, by way of Hamburg, with Denmark, Sweden, and Norway.

The British Post Office on its side engages to grant the transit through the British territory, as well as the conveyance by British mail packets or private ships departing from or arriving at ports of the United Kingdom of Great Britain and Ireland, of the closed mails which the Hamburg Office may exchange in either direction, by way of the United Kingdom of Great Britain and Ireland, with the United States of North America.

XXI. The British Post Office shall pay to the Hamburg Post Office for transit through the territory of Hamburg of letters and book packets comprised in the closed mails which the British Office may send or receive, by way of Hamburg, in accordance with Article XX preceding, the sum of 4*d.* per ounce, British, of letters, net weight, and the sum of 5*d.* per zoll pound of book packets, also net weight.

XXII. The Hamburg Post Office shall pay to the British Post Office for transit through the territory of the United Kingdom of letters and book packets comprised in the closed mails which the Hamburg Office may send or receive by way of the United Kingdom, in accordance with Article XX preceding, the sum of 4*d.* per ounce, British, of letters net weight, and the sum of 5*d.* per zoll pound of book packets, also net weight.

XXIII. The Hamburg Post Office shall pay to the British Post Office for the sea conveyance of letters and book packets comprised in the closed mails which the Hamburg Office may send or receive, in accordance with Article XX preceding, by British mail packets or private ships departing from or arriving at ports of the United Kingdom, the sum of 1*s.* per ounce, British, of letters, net weight, and the sum of 5*d.* per zoll pound of book packets, also net weight.

XXIV. It is understood that the weight of dead letters of every kind, as well as that of the letter-bills and other forms of account consequent on the exchange of correspondence conveyed in closed mails by one of the two offices on account of

the other, and which are mentioned in the preceding Articles XXI, XXII, and XXIII, shall not be included in the weight of the letters and book packets, on which shall be assessed the rates fixed by the said Articles.

XXV. Ordinary or registered letters and book packets mis-directed or mis-sent, shall be reciprocally returned without delay through the respective offices of exchange for the same weight and amount of postage at which they were charged by the despatching office to the other office.

The articles of a like nature addressed to persons who have changed their residence shall be mutually forwarded or returned, charged with the rate that would have been paid by the receivers.

XXVI. Ordinary or registered letters and book packets exchanged in ordinary mails between the two Post Offices of Great Britain and Hamburg, which cannot be delivered, from whatever cause, shall be mutually returned at the expiration of every month. Such of those articles as shall have been charged in the accounts shall be returned for the amount of postage which was originally charged by the sending office.

Those which were sent paid to destination shall be returned without postage or charge.

With regard to unpaid dead letters which have been conveyed in closed mails by one of the two offices on account of the other, they shall be admitted for the same weight and amount of postage which were charged in the transit accounts of the respective offices, on a simple declaration, or on nominal lists vouching for the amount of postage demanded when the letters themselves cannot be produced by the office which has to claim the amount of their postage from the corresponding office.

XXVII. The British Post Office and the Post Office of Hamburg shall determine by mutual consent the direction of the correspondence reciprocally transmitted, and shall settle the arrangements relating to the form and the liquidation of the accounts arising out of the mutual transmission of correspondence, as well as every other matter of detail which may be necessary to ensure the execution of the stipulations contained in the present Convention.

The two offices shall have power to modify from time to time by mutual consent the arrangements made in virtue of this Article, as well as those fixed by all the preceding Articles.

XXVIII. Ordinary letters, registered letters, and book packets of every kind exchanged between the two post offices of Great Britain and Hamburg, which shall have been paid to destination, or for some part of the distance beyond the territory of the despatching office, shall be marked in a conspicuous part

of the address with an impression in red ink of a stamp intended to denote to the respective offices of exchange the extent of prepayment.

The stamp P.D. shall be impressed on ordinary or registered letters as well as on book packets which shall be prepaid to destination.

The stamp P.P. shall be impressed on ordinary letters as well as on book packets which shall be prepaid for some part of the distance beyond the territory of the despatching office.

XXIX. Each of the mails exchanged between the Post Offices of the two countries shall be accompanied by a letter-bill in which the despatching office shall state the nature of the articles which the mail contains, and the amount of postage due to each office. The office to which the mail shall be forwarded shall acknowledge its receipt to the despatching office by return of post.

The letter-bills and acknowledgments of receipt for the mails sent from the Post Office of London to the Post Office of Hamburg *viâ* Belgium, shall be according to the form C, annexed to the present Articles.

The letter-bills and acknowledgments of receipt for the mails sent from the Post Offices of London, Hull, and Leith to the Post Office of Hamburg direct by private ship shall be according to the forms D, annexed to the present Articles.

The letter-bills and acknowledgments of receipt which the office of Hamburg shall use in its communications with the Post Offices of London, Hull, and Leith shall agree with the forms above described.

XXX. If it should happen on the usual days and hours for making up the mails that an office of exchange has not any letter to forward to the corresponding office, the despatching office shall nevertheless send, in the ordinary way, a mail which shall contain a blank letter-bill.

XXXI. The British Post Office shall every month prepare separate accounts exhibiting the results of the transmission between the respective offices of exchange of the correspondence mutually exchanged, whether in ordinary mails or in closed mails. Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the month.

XXXII. The separate accounts described in the preceding Article shall be incorporated every month in general accounts showing the result of the transmission of the correspondence exchanged either in ordinary or closed mails between the Post Office of Great Britain and the Post Office of Hamburg.

XXXIII. The general accounts mentioned in the preceding Article shall be compared and settled by the two offices, and the balance shall be paid at the end of every quarter by that office which shall be found to be indebted to the other.

XXXIV. The present Convention shall come into operation on the 1st day of January, 1863, and shall continue in force until one of the two Contracting Parties shall have announced to the other, one year in advance, its intention to terminate it.

During this last year the Convention shall continue to be fully and entirely carried into effect without prejudice to the settlement of the accounts between the British and Hamburg offices after the expiration of the said term.

It is, however, reciprocally agreed that none of the provisions contained in Articles XX, XXI, XXII, XXIII, or XXIV, of this Convention shall take effect until the British Office shall have announced to the Hamburg Office, that satisfactory arrangements arising out of this Convention have been concluded with the Post Offices of Austria and the United States of America.

All the agreements which now regulate the exchange of correspondence between the United Kingdom and Hamburg shall cease to have effect from the date of the day when the present agreement shall be put into execution.

Done in duplicate at Hamburg, the 5th day of December, and at London, the 9th day of December, 1862.

(L.S.) ROWLAND HILL.

(L.S.) C. G. HENCKE.

(A.)—Table showing the Conditions on which shall be exchanged in Ordinary Mails between the British Post Office and the Post Office of Hamburg Ordinary Letters despatched from the Countries the Correspondence of which is transmitted through Hamburg for Great Britain and Countries in transit through Great Britain, and *vice versa*.

COUNTRIES	Letters delivered by the British Office to the Hamburg Office.			Letters delivered by the Hamburg Office to the British Office.		
	Regulation as to Payment in Advance.	To what Limit.	Rate of Postage to be paid by the British Office to the Hamburg Office for a paid Letter not exceeding $\frac{1}{2}$ oz.	Regulation as to Payment in Advance.	To what Limit.	Rate of Postage to be paid by the British Office to the Hamburg Office for an unpaid Letter not exceeding $\frac{1}{2}$ oz.
Denmark	Optional	Destination	Sil. Gr. 4 $\frac{1}{2}$ .. ..	Optional	Destination	Sil. Gr. 5 $\frac{1}{2}$
Sweden .	Do.	Do.	7 $\frac{1}{2}$ .. ..	Do.	Do.	8 $\frac{1}{2}$
Norway .	Do.	Do. {	8 $\frac{1}{2}$ in summer 9 in winter..	Do. {	Do. {	9 $\frac{1}{2}$ in summer. 10 in winter.



The Rates marked thus \* increase according to two different principles. The sum of 2d. out of each rate is chargeable by toll loth, and the remainder by the quarter ounce. The rates marked thus † also increase according to two principles, 2d. being chargeable by the toll loth, and the remainder by the quarter ounce.

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The rates marked thus \* increase according to two different principles. The sum of 3d. out of each rate is chargeable by the toll loth, and the remainder by the quarter ounce. The rates marked thus † also increase according to two principles, 3d. being chargeable by the toll loth, and the remainder by the quarter ounce.

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# HANOVER.

DECLARATION *between Great Britain and Hanover, extending indefinitely the Provisions of the Treaty of Commerce of 22nd July, 1844,\* (except Article VI and Article VII, § 2, relating to the Stadt Toll,) and agreeing that the said Treaty shall cease and determine on the conclusion and Ratification of a New Treaty of Commerce between Great Britain and the Zollverein, to which Hanover should be a Party.† Signed at Hanover, August 15, 1862.*

WHEREAS the Government of Her Britannic Majesty, on the 14th of August, 1858, gave to the Government of His Majesty the King of Hanover, in exercise of the power reserved by Article VIII of the Treaty of Commerce of the 22nd of July, 1844, notice to terminate the said Treaty at the expiration of 12 months from the said 14th of August, 1858, and whereas by successive declarations‡ the said notice has been extended to the 30th June, 1862, inclusively, and it is expedient that it should be still further extended:

Now it is hereby agreed and declared between the Under-signed, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Hanover, and His Hanoverian Majesty's Secretary General of the department for Foreign Affairs, charged *ad interim* with the direction of the said department, duly authorized by their respective Governments, that the aforesaid notice is further extended indefinitely, and that the said Treaty of the 22nd July, 1844, with the exception of Article VI, and the second paragraph of Article VII, which relate to the Stade or Brunshausen Toll, shall remain in force from the 30th day of June, 1862, until the expiration of 6 months after either Contracting Party shall notify to the other its intention to terminate the same.

It is, however, further agreed and declared, that in the event of the conclusion and ratification of a new Treaty of Commerce between Great Britain and the Zollverein, to which Treaty Hanover should be a Contracting Party, the said Treaty of the 22nd of July, 1844, shall *ipso facto* cease and determine.

In witness whereof they have signed the present Declaration, and have affixed thereto the seals of their arms.

Done at Hanover, this 15th day of August, 1862.

G. V. WITZENDORFF.

(L.S.) HENRY FRANCIS HOWARD.

\* See Vol. 7. Page 729.

† See Treaty between Great Britain, Prussia, &c. (Zollverein), May 30, 1865. Page 761.

‡ July 28, 1859; February 8, 1860; May 8, 1860; November 5, 1860; May 14, 1861; and June 29, 1861.

# H A Y T I.

POSTAL CONVENTION *between Great Britain and Hayti.*  
*Signed in the English and French languages, at Port au Prince,*  
*9th September, 1858.*

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of His Majesty the Emperor of Hayti, being desirous to regulate, by means of a Convention, the communications by post between the two Kingdoms upon a more liberal and advantageous basis for the inhabitants of the two countries.

The Undersigned, Henry Byron, Esquire, Her Majesty's Acting Consul General in Hayti, furnished with full powers from the Postmaster-General of the United Kingdom of Great Britain and Ireland, and Monsieur Jean Baptiste Alphonse Mirambeau, President of the Imperial Court of Commerce, and Member of the Council of Notables, and Monsieur Joseph Sébastien Lacroix Laforestrie, Merchant, furnished with full powers from the Minister of the Interior and of Agriculture of Hayti, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

ART. I. The postage to be collected in the United Kingdom upon every letter not exceeding  $\frac{1}{2}$  an ounce, British, in weight, posted in the United Kingdom and addressed to Hayti, or posted in Hayti and addressed to the United Kingdom, when conveyed by British Government vessels, or by vessels freighted or maintained by order of the British Government, shall be 6*d.*

And the postage to be collected in Hayti upon such letters shall be half a dollar (paper).

II. With respect to the charge upon letters above the weight of  $\frac{1}{2}$  an ounce, British, the following scale of progression shall be applied in both countries, viz.:

For every letter above the weight of  $\frac{1}{2}$  an ounce, and not exceeding 1 ounce, two rates of postage.

For every letter above 1 ounce, and not exceeding 2 ounces, four rates of postage.

For every letter above 2 ounces, and not exceeding 3 ounces, six rates of postage.

And so on, two rates being added for every additional ounce or fraction of an ounce.

III. The postage to be collected in the United Kingdom upon every newspaper posted in conformity with the regulations required to be observed, originating in the United Kingdom and addressed to Hayti, shall be 1*d.* per 4 ounces British, or fraction of 4 ounces, British.

A like sum of 1*d.* per 4 ounces British, or fraction of 4



ounces, British, shall be collected in the United Kingdom upon every newspaper originating in Hayti, and addressed to the United Kingdom.

The postage to be collected in Hayti upon such newspapers shall be a  $\frac{1}{4}$  of a dollar (paper) per 4 ounces, British, or fraction of 4 ounces, British.

IV. Subject to the following conditions, book packets may be sent from the United Kingdom of Great Britain and Ireland to Hayti, and *vice versa*:

1st. Every packet must be sent either without a cover, or in a cover open at the ends or sides, so as to admit of the enclosures being removed for examination.

2nd. A book packet may contain any number of separate books or other publications, prints, or maps, and any quantity of paper, parchment, or vellum; and the books or other publications, prints, maps, &c., may be either printed, written, or plain, or any mixture of the three. Further, all legitimate binding, mounting, or covering of a book, publication, &c., or of a portion thereof, shall be allowed, whether such binding, &c., be loose or attached, as also rollers, in the case of prints or maps; markers (whether of paper or otherwise), in the case of books; and in short, whatever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto, but no patterns or books of patterns (unless consisting merely of paper) shall be allowed.

3rd. No book packet may contain any written letter, closed or open, or any enclosure sealed or otherwise closed against inspection; nor must there be any letter, nor any communication of the nature of a letter, written in any such packet, or in or upon its cover.

4th. No book packet must exceed 2 feet British, in length, width, or depth.

V. The postage to be collected in the United Kingdom upon book packets posted in the United Kingdom, and addressed to Hayti, or posted in Hayti, and addressed to the United Kingdom, shall be as follows:

For a packet not exceeding 4 ounces (British) in weight, 3d.;

For a packet above 4 ounces, and not exceeding 8 ounces, 6d.;

For a packet above 8 ounces, and not exceeding 1 pound, 1s.;

For a packet above 1 pound, and not exceeding  $1\frac{1}{2}$  pound, 1s. 6d.;

For a packet above  $1\frac{1}{2}$  pound, and not exceeding 2 pounds, 2s.;

and so on, 6d. being added for each additional  $\frac{1}{2}$  pound, or fraction of  $\frac{1}{2}$  pound.

The postage to be collected in Hayti upon such book packets shall be as follows :

For a packet not exceeding 4 ounces in weight,  $\frac{1}{2}$  a dollar (paper) ;

For a packet above 4 ounces, and not exceeding 8 ounces, 1 dollar (paper) ;

For a packet above 8 ounces, and not exceeding 1 pound, 2 dollars (paper) ;

For a packet above 1 pound, and not exceeding  $1\frac{1}{2}$  pound, 3 dollars (paper) ;

For a packet above  $1\frac{1}{2}$  pound, and not exceeding 2 pounds, 4 dollars (paper) ;

and so on, 1 dollar (paper) being added for each additional  $\frac{1}{2}$  pound, or fraction of  $\frac{1}{2}$  pound.

VI. No charge beyond the rates specified in the foregoing articles, whether for delivery or for any other service, shall be made either in the United Kingdom or in Hayti, upon letters, newspapers, or book packets, exchanged between the two countries.

VII. The postage to be paid to the British Post Office for letters and book packets (including newspapers), conveyed by the British mail packets from a port in Hayti to any other port, without passing through the United Kingdom, shall be as follows :

For every letter not exceeding  $\frac{1}{4}$  an ounce, British, in weight, 4*d.* sterling ; and, for letters of greater weight, an increased charge, according to the scale laid down in Article II preceding.

For every book packet not exceeding 4 ounces, British, in weight, 1*d.* sterling ; and, for book packets, of greater weight, an increased charge according to the scale laid down in Article V preceding.

VIII. The British Post Office and the Post Office of Hayti shall have power to modify, from time to time, by mutual consent, the arrangements made in virtue of all the preceding Articles.

IX. The present Convention shall come into operation on the 1st day of January, 1859, and shall continue in force until one of the two Contracting Parties shall have announced to the other, one year in advance, its intention to terminate it.

In witness whereof the Undersigned have, in virtue of their aforesaid full powers, signed the present Convention in duplicate, and affixed thereto their seals.

Done at Port au Prince, this 9th day of September, 1858.

(L.S.) HENRY BYRON.

(L.S.) J. A. MIRAMBEAU.

(L.S.) LAFORESTRIE.

ADDITIONAL ARTICLES to the *Postal Convention concluded at Port au Prince, September 9, 1858,\* between Great Britain and Hayti. Signed in the English and French languages, at Port au Prince, June 8, 1863.*

IN pursuance of the power granted by Article VIII of the Convention of September 9, 1858, between the United Kingdom of Great Britain and Ireland and Hayti to the two Post Offices, to modify from time to time, by mutual consent, the arrangements made in virtue of the said Convention:

The Undersigned Spenser St. John, Esquire, Her Britannic Majesty's Chargé d'Affaires to the Republic of Hayti, and Boyer Bazelaïs, Chef d'Escadron and Aide-de-Camp of His Excellency the President of Hayti, duly authorized for that purpose, have agreed upon the following Articles.

ART. I. The postage to be collected in the United Kingdom upon every letter not exceeding  $\frac{1}{2}$  an ounce, British, in weight, posted in the United Kingdom and addressed to Hayti, or posted in Hayti and addressed to the United Kingdom, when conveyed by British Government vessels, or by vessels freighted or maintained by order of the British Government, shall be 1s.

And the postage to be collected in Hayti upon such letters shall be  $\frac{1}{2}$  a dollar (paper).

II. With respect to the charge upon letters above the weight of  $\frac{1}{2}$  an ounce, British, the following scale of progression shall be applied in both countries, viz.:

For every letter above the weight of  $\frac{1}{2}$  an ounce and not exceeding 1 ounce, two rates of postage.

For every letter above 1 ounce and not exceeding  $1\frac{1}{2}$  ounce, three rates of postage.

For every letter above  $1\frac{1}{2}$  ounce and not exceeding 2 ounces, four rates of postage.

And so on, one rate being added for every additional  $\frac{1}{2}$  an ounce or fraction of  $\frac{1}{2}$  an ounce.

III. The postage to be paid to the British Post Office for letters, newspapers, and book packets, conveyed by a British mail packet from a port in Hayti to any port in New Granada, and further conveyed also by a British mail packet from a port in New Granada to any port on the Western Coast of South America, without passing through the United Kingdom, shall be as follows:

For every letter not exceeding  $\frac{1}{2}$  an ounce, British, in weight, 1s. 4d. sterling, and for letters of greater weight an increased charge according to the scale laid down in Article II preceding.

For every newspaper 4d. sterling per 4 ounces or fraction of 4 ounces British.

\* See Page 546.

For every book packet the same amount of postage that is required by this Article to be paid upon letters.

The postage to be paid to the British Post Office for letters and book packets (including newspapers) conveyed by the British mail packets from a port in Hayti to any port other than one of those in this Article above referred to without passing through the United Kingdom shall be as follows :

For every letter not exceeding  $\frac{1}{2}$  an ounce, British, in weight, 4*d.* sterling, and for letters of greater weight an increased charge according to the scale laid down in Article II preceding.

For every book packet not exceeding 4 ounces, British, in weight, 1*d.* sterling; and for book packets of greater weight an increased charge according to the scale laid down in Article V of the Convention of September the 9th, 1858.

IV. The present Articles shall be considered as additional to the Convention which was signed at Port au Prince on the 9th September, 1858, between the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of Hayti, and shall have the same force, validity, and duration as if they were inserted in that Convention; the stipulations of that Convention which are modified by these Articles remaining without effect.

They shall come into operation on the 1st of September, 1863.

In witness whereof the Undersigned have, in virtue of their aforesaid full powers, signed the foregoing Additional Articles to the Convention of the 9th September, 1858, in duplicate, and affixed thereto their seals.

Done at Port au Prince, this 8th day of June, 1863.

(L.S.) SPENSER ST. JOHN.

(L.S.) BOYER BAZELAIS.

**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Letters transmitted to or from Hayti, and between Hayti and any British Colony or Foreign Country via the United Kingdom; and also on Letters, Newspapers, and Books, &c., transmitted between Hayti and any other place without passing through the United Kingdom. August 25, 1863.*

WHEREAS by an Act of Parliament, passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the Regulation of the Duties of Postage,"\* power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage, payable by law on the transmission by

\* See Vol. 5. Page 248.



the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid; and it is provided that the power thereby given should extend to any increase or reduction or remission of postage.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her present Majesty, intituled "An Act for giving further facilities for the transmission of Letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office."\*

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 18th year of the reign of Her present Majesty, intituled "An Act to amend the laws relating to the Stamp Duties on Newspapers, and to provide for the transmission by post of printed periodical publications."†

And whereas the Commissioners of Her Majesty's Treasury, by a certain Warrant in writing under their hands, relating to the transmission by the post of (amongst other things) letters by British packet-boat, between the United Kingdom and *Hayti*, and between a port in *Hayti* and any other port, whether in *Hayti* or any other country, island, or place, without passing through the United Kingdom, and bearing date the 27th day of November, 1858,‡ did fix certain rates and make and give certain orders, directions, and regulations relating to the transmission of such letters by the post.

And whereas it is expedient that the rates of postage upon letters, now payable under the said recited Warrant, should be altered, and that certain other rates should be made and fixed, and for that purpose that so much of the said Warrant as relates to the letters hereinbefore mentioned should be repealed.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners (by the authority of the statute in that case made and provided), order, direct, and declare as follows:

1. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight posted

\* See Vol. 8. Page 247. † See Vol. 10. Page 320.

‡ See Vol. 11. Page 940.

in the United Kingdom, addressed to *Hayti*, and on every letter not exceeding  $\frac{1}{2}$  an ounce in weight posted in *Hayti*, addressed to the United Kingdom, transmitted direct by British packet-boat between the United Kingdom and *Hayti*, there shall be charged and taken an uniform rate of postage of 1s.

2. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight posted in or addressed to any part of *Hayti*, transmitted by the post between any port in *Hayti* and any of Her Majesty's colonies or any *Foreign* country through the United Kingdom (the conveyance between *Hayti* and the United Kingdom being direct by British packet-boat), there shall be charged and taken in lieu of any rates of postage now chargeable on such letters a like rate of postage of 1s. for the conveyance of every such letter between *Hayti* and any part of the United Kingdom; and for the conveyance of every such letter between the port in the United Kingdom of the departure or arrival of the packet-boat or vessel (not being a packet-boat) conveying the same, and the British colony or *Foreign* country to or from which the same shall be forwarded, such a further or additional rate of postage as shall from time to time be charged and payable for postage on letters not exceeding  $\frac{1}{2}$  an ounce in weight, posted or delivered at the port in the United Kingdom, of the departure or arrival of the packet-boat or vessel (not being a packet-boat) conveying the same and transmitted between such port and any such colony or *Foreign* country, provided that in all cases where such additional rate includes both inland and sea services, there shall be deducted therefrom the sum of 1d., in respect of the inland conveyance under this clause of every such letter sent through the United Kingdom.

3. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight transmitted by British packet-boat between a port in *Hayti* and any port on the western coast of *South America*, and conveyed *via* any port in *New Granada* without passing through the United Kingdom, there shall be charged and taken an uniform rate of postage of 1s. 4d.

4. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight transmitted by British packet-boat between a port in *Hayti* and any other port, whether in *Hayti* or in any other country, island, or place (except any port in the United Kingdom or on the western coast of *South America*), without passing through the United Kingdom, there shall be charged and taken an uniform rate of postage of 4d.

5. All such letters so transmitted as hereinbefore in the 1st, 2nd, 3rd, and 4th clauses of this Warrant mentioned, if exceeding  $\frac{1}{2}$  an ounce in weight, shall be subject to the several additional and progressive rates of postage hereinafter mentioned, that is to say:

On every letter so transmitted, if exceeding  $\frac{1}{2}$  an ounce in

weight and not exceeding 1 ounce in weight, there shall be charged, taken, and paid two rates of postage.

And on every letter so transmitted, if exceeding 1 ounce and not exceeding  $1\frac{1}{2}$  ounce in weight, three rates of postage.

And on every letter so transmitted, if exceeding  $1\frac{1}{2}$  ounce and not exceeding 2 ounces in weight, four rates of postage.

And for every additional  $\frac{1}{2}$  an ounce in weight of any letter so transmitted respectively as aforesaid above the weight of 2 ounces, there shall be charged, taken, and paid one additional rate of postage, and every fractional part of such additional  $\frac{1}{2}$  an ounce in weight shall be charged as an additional  $\frac{1}{2}$  an ounce in weight; and each progressive and additional rate chargeable under this clause, shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding  $\frac{1}{2}$  an ounce in weight.

6. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions and privileges granted by or under the said hereinbefore recited Acts, or either of them, or by or under any other Acts of Parliament relating to the Post Office, or any of the privileges which officers, seamen, and soldiers, employed in Her Majesty's service, are by law entitled to, of sending and receiving by the post, letters subject to the regulations and restrictions in respect of the same.

7. On every packet consisting of a printed newspaper not exceeding 4 ounces in weight, transmitted by British packet-boat between a port in *Hayti* and any port on the western coast of *South America*, and conveyed *rià* any port in *New Granada* without passing through the United Kingdom, there shall be charged and taken an uniform rate of postage of 4*d*.

8. On every packet consisting of a printed newspaper not exceeding 4 ounces in weight, transmitted by British packet-boat between a port in *Hayti* and any other port, whether in *Hayti* or in any other country, island, or place (except any port in the United Kingdom or on the western coast of *South America*), without passing through the United Kingdom, there shall be charged and taken an uniform rate of postage of 1*d*.

9. On every packet consisting of printed papers (other than printed newspapers), not exceeding 4 ounces in weight, transmitted by British packet-boat between a port in *Hayti* and any other port, whether in *Hayti* or in any other country, island, or place (except any port in the United Kingdom or on the western coast of *South America*), without passing through the United Kingdom, there shall be charged and taken an uniform rate of postage of 1*d*.

10. All such respective packets as hereinbefore, in the 7th, 8th, and 9th clauses of this Warrant mentioned, if exceeding 4 ounces in weight, shall be subject to the several progressive and additional rates of postage hereinafter mentioned (that is to say):

On every such packet, if exceeding 4 ounces in weight, and not exceeding 8 ounces in weight, two rates of postage.

And on every such packet, if exceeding 8 ounces in weight, and not exceeding 1 pound in weight, four rates of postage.

And on every such packet, if exceeding 1 pound, and not exceeding  $1\frac{1}{2}$  pound in weight, six rates of postage.

And on every such packet, if exceeding  $1\frac{1}{2}$  pound and not exceeding 2 pounds in weight, eight rates of postage.

And for every additional  $\frac{1}{2}$  a pound in weight of any such packet above the weight of 2 pounds, there shall be charged, taken, and paid two additional rates of postage, and every fractional part of such additional  $\frac{1}{2}$  a pound in weight, shall be charged as an additional  $\frac{1}{2}$  a pound in weight; and each progressive and additional rate chargeable under this clause, shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

11. Every packet which shall be transmitted by the post under the 7th, 8th, 9th, and 10th clauses of this Warrant shall be so transmitted in conformity with, and under and subject to the several regulations, orders, directions, and conditions hereinafter contained; that is to say:

Every such packet shall be sent without a cover, or in a cover open at the ends or sides.

The term "printed papers" in this Warrant used, shall, for the purposes of this Warrant, mean and comprise any number of separate books or other publications, prints, or maps, and any quantity of paper, parchment, or vellum, and the books or other publications, prints, or maps may be either printed, written, or plain, or any mixture of the three, and all legitimate binding, mounting, or covering of a book, publication, print, or map, or of a portion thereof, whether such binding, mounting, or covering be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise) in the case of books, and whatsoever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto; but no patterns or books of patterns (unless consisting merely of paper) shall be allowed.

No such packet shall contain any written letter or any communication in the nature of a letter, closed or open, nor any enclosure sealed or otherwise closed against inspection, nor any communication of the nature of a letter written in or upon any such packet or the cover thereof.

No such packet which in length, or width, or depth, shall exceed the dimensions of 2 feet (British), shall be forwarded by the post under the provisions of this Warrant.

There shall be no word or communication printed on any newspaper transmitted by the post under the provisions of this



Warrant, after the publication thereof, or upon any cover thereof, nor any writing or marks upon any such newspaper, or upon any cover thereof, other than and except the name and address of the person to whom the same is sent, but the name or title of such newspaper, and the name and address of the publisher, newsvender, or agent by whom the same is sent, may be printed on the cover thereof.

There shall be no paper or thing enclosed in or with any newspaper.

12. The postage of every letter transmitted by the post under the provisions of this Warrant, and posted in the United Kingdom, shall be paid at the time of the same being posted, either in money or by the proper postage stamp or stamps being affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such letter, near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant; and the postage of every packet consisting of a printed newspaper or printed papers, transmitted by the post under the provisions of this Warrant, and posted in *Hayti*, shall also be paid at the time of the same being posted.

13. If any letter or packet consisting of a printed newspaper or printed papers, transmitted by the post under the provisions of this Warrant, be sent otherwise than in conformity with the conditions and regulations hereinbefore established, the same shall and may be detained and opened, and shall be returned or given up to the sender thereof.

14. The respective letters and packets consisting of a printed newspaper or printed papers, transmitted by the post under the provisions of this Warrant, shall be subject to the several orders, directions, regulations, and rates of postage, respectively contained in a certain Warrant of the Commissioners of Her Majesty's Treasury, under the hands of two of the said Commissioners, bearing date the 19th day of February, 1855,\* relating to redirected rates of postage upon letters and packets which shall be redirected and again forwarded by the post.

15. The term "weight," used in this Warrant, shall mean British weight, and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her present Majesty.

16. The several rates of postage on letters posted in the United Kingdom addressed to *Hayti*, or posted in *Hayti* addressed to the United Kingdom, transmitted direct by British packet-boat between the United Kingdom and *Hayti*, and on letters transmitted by British packet-boat between a port in *Hayti* and any other port, whether in *Hayti* or any other

\* See Vol. 10. Page 289.

country, island, or place, without passing through the United Kingdom, payable under or by virtue of a certain Warrant, bearing date the 27th day of November, 1858,\* relating to Hayti, together with so much of the said Warrant as relates to the said rates of postage, and the regulations therein contained affecting the same shall be, and the same are hereby repealed.

17. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, or the hands of any two of them, at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed or altered, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which may be payable are to be paid.

18. This Warrant shall come into operation on the 1st day of September next.

Whitehall Treasury Chambers, August 25, 1863.

E. H. KNATCHBULL HUGESSEN.  
WILLIAM DUNBAR.

ADDITIONAL ARTICLES *to the Convention concluded at Port au Prince, on the 9th September, 1858,† between Great Britain and Hayti, for Regulating the Communications by Post between the Two Countries.—Signed in the English and French languages, at Port au Prince, August 31, 1864.*

IN pursuance of the power granted by Article VIII of the Convention of the 9th September, 1858, between the United Kingdom of Great Britain and Ireland and Hayti to the two Post Offices, to modify from time to time, by mutual consent, the arrangements made in virtue of the said Convention ;

The Undersigned, duly authorized for that purpose, have agreed upon the following Articles :

ART. I. Subject to the following conditions, patterns of merchandize may be sent from the United Kingdom of Great Britain and Ireland to Hayti, and *vice versa*.

1. The patterns of merchandize must not be of intrinsic value. No article of a saleable nature, or which has a mercantile value either by reason of its quality or its quantity, and of which a use might be made otherwise than as a pattern, shall be sent at the rate applicable to patterns of merchandize.

2. The patterns of merchandize must not bear any other writing than the address of the person for whom they are intended, the address of the sender, or manufacturer's or trade mark, numbers and prices.

\* See Vol. 10. Page 866. † See Page 546.

3. The patterns of merchandize must be sent (as in the case of books) in covers open at the ends, so as to admit of easy examination. Samples, however, of seeds, drugs, and articles of a similar description which cannot be sent in open covers, shall be allowed to be enclosed in bags of linen, paper, or other material, tied at the neck with a string; but closed bags, although transparent, shall not be used for this purpose.

4. No article likely to injure the contents of the mail bags, or the person of any officer of the Post Office, shall be sent through the post as a pattern of merchandize.

II. The postage to be collected in the United Kingdom upon patterns of merchandize posted in the United Kingdom and addressed to Hayti, or posted in Hayti and addressed to the United Kingdom, shall be as follows:

For a packet not exceeding four ounces (British) in weight, 3*d.*;

For a packet above four ounces and not exceeding eight ounces, 6*d.*;

For a packet above eight ounces and not exceeding one pound, 1*s.*;

For a packet above one pound and not exceeding one pound and a half, 1*s.* 6*d.*;

For a packet above one pound and a half and not exceeding two pounds, 2*s.*;

and so on, 6*d.* being added for each additional half pound or fraction of half a pound.

The postage to be collected in Hayti upon such patterns of merchandize shall be as follows:

For a packet not exceeding four ounces in weight, half a dollar (paper);

For a packet above four ounces and not exceeding eight ounces, 1 dollar (paper);

For a packet above eight ounces and not exceeding one pound, 2 dollars (paper);

For a packet above one pound and not exceeding one pound and a half, 3 dollars (paper);

For a packet above one pound and a half and not exceeding two pounds, 4 dollars (paper);

and so on, 1 dollar (paper) being added for each additional half pound or fraction of half a pound.

III. No charge beyond the rates specified in the foregoing Articles, whether for delivery or for any other service, shall be made, either in the United Kingdom or in Hayti, upon patterns of merchandize exchanged between the two countries.

IV. The present Articles shall be considered as additional to the Convention which was signed at Port au Prince on the 9th September, 1858, between the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and

the Government of Hayti, and shall have the same force, validity, and duration as if they were inserted in that Convention.

They shall come into operation on the 1st day of November, 1864.

In witness whereof the Undersigned have signed the foregoing additional Articles to the Convention of the 9th September, 1858, and have affixed thereto their respective seals.

Done in duplicate at Port au Prince, the 31st day of August, 1864.

SPENSER ST. JOHN.  
G. BOYER BAZELAIS.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from Hayti.* October 20, 1864.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, parliamentary proceedings, and printed papers transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post. And by the same Act powers were given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act of Parliament passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient to authorize the transmission by the post, between the United Kingdom and *Hayti*, of certain packets, and for that purpose to make certain regulations in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts of Parliament, and each of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows, that is to say:

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.



1. All packets consisting of patterns or samples of merchandize of no intrinsic value, posted in any part of the United Kingdom addressed to *Hayti*, or posted in *Hayti* addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and *Hayti* by British packet-boat, subject to the several rates of postage hereinafter mentioned (that is to say):

On every such packet, if not exceeding four ounces in weight, there shall be charged, taken, and paid an uniform single rate of postage of 3*d.* ;

And on every such packet, if exceeding four ounces in weight, there shall be charged, taken, and paid progressive and additional rates of postage as follows (that is to say):

On every such packet, if exceeding four ounces and not exceeding one half of a pound in weight, there shall be charged, taken, and paid 2 rates of postage ;

And on every such packet, if exceeding one half of a pound and not exceeding one pound in weight, there shall be charged, taken, and paid 4 rates of postage ;

And on every such packet, if exceeding one pound and not exceeding one pound and one half of another pound in weight, there shall be charged, taken, and paid 6 rates of postage ;

And for every additional half of a pound in weight of any such packet above the weight of one pound and one half of another pound, there shall be charged, taken, and paid two additional rates of postage, and every fractional part of such additional half of a pound in weight shall be charged as an additional half of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 4 ounces in weight.

2. Every packet which shall be transmitted by the post under the authority of this Warrant shall be so transmitted in conformity with, and under and subject to, the several orders, directions, regulations, and conditions hereinafter contained (that is to say):

3. No such packet which, in length, or breadth, or depth, shall exceed the dimensions of two feet British shall be transmitted by the post under the provisions of this Warrant.

4. No pattern or sample being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

5. There shall be no enclosure sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in or with any such packet.

6. There shall be no writing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices.

7. All such packets shall be sent in covers open at the ends, so as to be easy of examination: nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in bags of linen, paper, or of other material, tied at the neck; but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

8. Every packet transmitted by the post under this Warrant, and posted in the United Kingdom, shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

9. The postage of all such packets as aforesaid, posted in the United Kingdom, shall in every case be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

10. If any packet shall be posted, or be transmitted by the post, under the provisions of this Warrant, otherwise than in conformity with the conditions and regulations established by or under the authority of this Warrant, the same shall and may be detained and opened, and shall be returned or given up to the sender thereof.

11. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post, under the provisions of the Warrant, for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, whenever it may be necessary so to do, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

12. In all cases in which any question shall hereafter arise, whether any packet or any pattern or sample contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

13. The term "weight" used in this Warrant shall mean

British weight, and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty, cap. 96.

14. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands duly made, at any time hereafter alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

15. This Warrant shall come into operation on the 1st day of November, 1864.

Whitehall Treasury Chambers, October 20, 1864.

LUKE WHITE.

WM. DUNBAR.

## HAWAIIAN ISLANDS.

BRITISH ORDER IN COUNCIL, *declaring the Regulations appended to the Order in Council of January 9, 1863,\* respecting Collisions at Sea, to be applicable to the Ships of the Hawaiian Islands.*—Windsor, June 29, 1865.

*At the Court at Windsor, the 29th day of June, 1865.*

PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS the rules and practice observed for the purpose of preventing collisions at sea, which were formerly adopted by maritime nations, have proved insufficient to satisfy the requirements of modern navigation; and whereas various alterations in such rules and practice have from time to time been made by different nations, but the rules so altered have been found to be in some cases inconsistent with each other, and in other cases to have the force of municipal law only; and whereas certain regulations for the purpose aforesaid have been sanctioned by "The Merchant Shipping Act Amendment Act, 1862,"† and are contained in the Table C, in the schedule to that Act; and whereas for the purpose of correcting certain clerical errors the said regulations have, in pursuance of the provisions in the said Act contained, been modified by an Order in Council bearing date the 9th day of January, 1863, and the

\* See Vol. 11. Page 219.

† See Vol. 11. Page 328.

said regulations, so modified, are appended to the said Order, and to this Order; and whereas by virtue of the said Act and of the said Order the said regulations so appended as aforesaid, so far as relates to British and French ships and also so far as relates to certain other foreign ships when within British jurisdiction, came into operation on the 1st day of June, 1863; and whereas it is provided by the same Act, that, whenever it is made to appear to Her Majesty that the Government of any foreign country is willing that the regulations for preventing collisions, contained in Table C in the schedule to the said Act, or such other regulations for preventing collisions as are for the time being in force under the said Act, should apply to the ships of such country when beyond the limits of British jurisdiction, Her Majesty may by Order in Council direct that such regulations shall apply to the ships of the said foreign country, whether within British jurisdiction or not. And it is further provided by the said Act that whenever an Order in Council has been issued applying any regulation made by or in pursuance of the said Act to the ships of any foreign country such ships shall, in all cases arising in any British Court, be deemed to be subject to such regulation, and shall for the purpose of such regulation be treated as if they were British ships: and whereas it has been made to appear to Her Majesty, that the Government of His Majesty the King of the Hawaiian Islands is willing that the said regulations appended to the said Order, and to this Order should apply to ships belonging to those islands when beyond the limits of British jurisdiction:

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to direct that the said Regulations appended to the said Order in Council, bearing date the 9th day of January, 1863, and to this Order, shall from the date of this Order apply to ships belonging to the Hawaiian Islands, whether within British jurisdiction or not.

ARTHUR HELPS.

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REGULATIONS *referred to in the foregoing Order.*

Regulations for Preventing Collisions at Sea.

[See Vol. 11, p. 221.]

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## IONIAN ISLANDS.

*ACT of the British Parliament, to repeal and in part to re-enact, certain Acts of Parliament relating to the Ionian States, and to establish the validity of certain Things done in the said States; relating to Marriages, &c.*

[27 & 28 Victoria, cap. 77.]

[July 29, 1864.]

WHEREAS in consequence of the relinquishment by Her Majesty of Her Majesty's Protectorate over the United States of the Ionian Islands, it has been expedient to repeal certain Acts of Parliament relating to the said States, and to make provision respecting certain matters and things done therein: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. An Act of Parliament passed in the 20th year of Her Majesty, cap. 4,\* intituled "An Act to enable the Subjects of the Ionian States to hold Military and Naval Commissions under the Crown," shall be and the same is hereby repealed.

2. Nothing herein contained shall invalidate any Commission heretofore granted under authority of the said Act.

3. It shall be lawful for Her Majesty to grant to the holder of any such Commission such further Commission or Commissions to serve as officer in Her Majesty's forces by land and sea, other than the respective militias of England, Scotland, and Ireland, as to Her Majesty shall from time to time seem fit; and all the aforesaid Commissions, and the service thereunder, shall be as lawful as if the holders thereof were natural-born subjects of Her Majesty.

4. An Act of Parliament of the 23rd and 24th years of Her Majesty, cap. 86,† intituled "An Act to make Provision respecting the Marriages of British Subjects in the Ionian Islands," shall be and the same is hereby repealed.

5. All marriages between subjects of Her Majesty, or to which any such subject shall have been party, contracted in the said Islands before the passing of the said last-recited Act, under authority of any warrant, licence, or other written permission of the Lord High Commissioner of the said Islands, at whatever hour, in whatever place, or by whatever ceremony the same may have been solemnized, shall be deemed to have been as valid in law, and shall be cognizable in like manner, as if the same had been solemnized within Her Majesty's dominions with a due observance of all forms required by the law: Provided always, that this enactment shall not extend

\* Vol. 10. Page 393.

† Vol. 11. Page 392.

to render valid any marriage which before the passing of the said Act had been declared invalid by any court of competent jurisdiction, or any right dependent on the validity or invalidity thereof, or any marriage where either of the parties has afterwards during the life of the other lawfully intermarried with any other person.

6. Nothing herein or in the said Act contained shall be construed to render invalid any marriage heretofore solemnized within the said islands which marriage was valid according to the laws of the said Islands, nor shall any marriage solemnized under authority of the said Act be invalidated by the repeal of the same.

And whereas it was provided by the said Act that a certificate of every marriage solemnized under the provisions thereof should be signed in triplicate in manner therein mentioned, and that two copies of such certificate should be transmitted to the Lord High Commissioner, and should be registered in such manner as he should appoint: Be it further enacted as follows:

7. A copy of such registry purporting to be certified under the signature and official seal of the Secretary of the Lord High Commissioner shall be received as evidence in the law of the marriage to which it relates, without proof of such signature or seal being the signature or seal of such secretary, or of the official character of such secretary.

8. The register book kept by the Lord High Commissioner shall be transmitted to the Registrar-General.

9. The Registrar-General shall cause an index of all the entries in the said register book to be made and kept in the General Register Office; and every person shall be entitled, on payment of the fees hereinafter mentioned, to search the said index, between the hours of 10 in the morning and 4 in the afternoon of every day except Sundays, Christmas-day, and Good Friday, and to have a certified copy of any entry in the register book, and for every search of the said index shall be paid the sum of 1s., and for every such certified copy the sum of 2s. and 6d., and no more, shall be paid to the Registrar-General, or such other officer as shall be appointed for that purpose on his account, in addition to the stamp duty of 1d. imposed by an Act of the 23rd and 24th year of Her Majesty, cap. 15.\*

10. The Registrar-General shall cause to be sealed or stamped with the seal of the General Register Office all such certified copies of marriage entries given in the said office; and such copy stamped with the seal of the said register office shall be received as evidence of the marriage to which the same relates, without any further or other proof of such entry;

\* See Vol. 11. Page 252.

and no certified copy, purporting to be given in the said office, shall be of any force or effect which is not sealed or stamped as aforesaid.

11. If any marriage shall have been had under the provisions of the last-recited Act by means of any wilfully false notice, oath, affirmation, or declaration made by either party to such marriage as to any matter in respect to which a notice, oath, affirmation, or declaration is required by the said Act, or by any regulations made by the Lord High Commissioner under authority of the said Act, it shall be lawful for Her Majesty's Attorney-General or Solicitor-General to sue for the forfeiture of all estate and interest in any property accruing to the offending party by such marriage, and the proceedings thereupon and the consequences thereof shall be the same as are provided by law in the like case with regard to marriages solemnized by licence in England according to the rites of the Church of England.

12. Any person who, for the purpose of procuring, preventing, or delaying any marriage, shall knowingly and wilfully have made or signed any false oath, affirmation, declaration, or notice authorized or required by the said Act, or by any such regulations as aforesaid, shall suffer the penalties of perjury; and any person who shall forge or counterfeit any such signature or seal as in the 7th section of this Act is mentioned, or shall tender in evidence any such copy as in the said section is mentioned with a false or counterfeit seal or signature thereto, knowing the same to be false or counterfeit, shall be guilty of felony and shall upon conviction be liable to penal servitude for the term of 4 years, or to be imprisoned, with or without hard labour, for any term not exceeding 3 years nor less than one year; and any such offender as aforesaid may be tried in any county or place in the United Kingdom, in the same manner, and be dealt with in all respects, as if the offence had been committed in such county or place.

And whereas during the continuance of Her Majesty's Protectorate over the said United States divers oaths, affidavits, and affirmations have been made, and divers notarial acts done, before or by the secretary and residents of the Lord High Commissioner of the said States: And whereas doubts are entertained respecting the sufficiency or validity of the said oaths, affidavits, affirmations, and notarial acts; and it is expedient that such doubts should be removed: Be it further enacted as follows:

13. Every such secretary or resident as aforesaid shall be deemed to have had during the tenure of his office full power and authority to administer to any person whomsoever in the said States any oath or to take any affidavit or affirmation from any such person, and also to do and perform in the said

States all and every notarial acts or act which any notary public is by law empowered to do within the United Kingdom of Great Britain and Ireland; and every such oath, affidavit, or affirmation, and every such notarial act, administered, sworn, affirmed, or done by or before such secretary or resident, shall be as good, valid, and effectual, and shall be of like force and effect, to all intents and purposes, as if such oath, affidavit, or affirmation, or notarial act respectively, had been administered, sworn, affirmed, or done by or before any justice of the peace or notary public in any part of the United Kingdom of Great Britain or Ireland, or by or before any other legal or competent authority of the like nature.

14. Affidavits or affirmations so taken as aforesaid shall and may be received, read, and made use of in and before any court of law or equity or other judicature whatever in any part of the United Kingdom, or any Consular court of Her Majesty, and the judges and officers thereof, in or in relation to any action, suit, cause, matter, or proceeding in or before any such court or judicature, in like manner, and shall be of the same force and effect, as affidavits and affirmations taken in or before such court or judicature, or by any person duly commissioned or authorized by such court or judicature to take such affidavits or affirmations, and shall be filed and dealt with accordingly.

15. Any document purporting to have subscribed thereto the signature of any such secretary or resident, in testimony of any such oath, affidavit, affirmation, or act having been administered, sworn, affirmed, had, or done by or before him, shall be admitted in evidence, without proof of any such signature being the signature of such secretary or resident, or of the official character of such secretary or resident.

16. If any person shall forge any such signature as last aforesaid, or shall tender in evidence any such document as aforesaid with a counterfeit signature thereto, knowing the same to be counterfeit, he shall be guilty of felony, and shall upon conviction be liable to penal servitude for the term of 4 years, or to be imprisoned, with or without hard labour, for any term not exceeding 3 years nor less than one year; and whenever any such document has been admitted in evidence by virtue of this Act, the court or the person who has admitted the same may, at the request of any party against whom the same is so admitted in evidence, direct that the same shall be impounded and be kept in the custody of some officer of the court or other proper person for such period, and subject to such conditions, as to the said court or person shall seem meet; and every person charged with committing any such felony as last aforesaid may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence may be laid



and charged to have been committed, in the county, district, or place in which he may be apprehended or be in custody; and every accessory before or after the fact to any such offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence laid and charged to have been committed, in any county, district, or place in which the principal offender may be tried.

17. The terms "Lord High Commissioner," "Secretary to the Lord High Commissioner," and "Resident of the Lord High Commissioner," shall in the construction of this Act include respectively any person lawfully acting in any of the above capacities.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters transmitted to or from the Ionian Islands, or between the Ionian Islands and other Colonies, or Foreign Countries, viâ France and Italy.*—August 16, 1864.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the regulation of the duties of postage,"\* power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage payable by law on the transmission by the post of *Foreign or Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage, according to the weight thereof, and a scale of weight to be contained in such Warrant.

And whereas it is expedient to alter the rates of British postage now payable on the transmission by the post of the letters hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers vested in us in and by the said recited Act, and of all other powers enabling us in this behalf, do, by this Warrant under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows:—

1. On every letter not exceeding  $\frac{1}{4}$  of an ounce in weight, posted in the United Kingdom addressed to the *Ionian Islands*, or posted in the *Ionian Islands* addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom and any place in the *Ionian Islands*, viâ *France and Italy*, there shall be charged and taken a rate of British postage of two pence.

\* See Vol. 5. Page 248,

2. On every letter not exceeding  $\frac{1}{4}$  of an ounce in weight, transmitted by the post between the *Ionian Islands* and any of Her Majesty's colonies or any foreign country, through the United Kingdom, viâ *France* and *Italy*, there shall be charged and taken a British rate of postage of 2*d.* for the conveyance of every such letter between the *Ionian Islands* and any part of the United Kingdom, and for the conveyance of every such letter between the port in the United Kingdom of the departure or arrival of the packet boat or vessel (not being a packet boat) conveying the same and the British colony or foreign country to or from which the same shall be forwarded such a further or additional rate of postage as shall from time to time be charged and payable for British postage on letters posted or delivered at the port in the United Kingdom of the departure or arrival of the packet boat or vessel (not being a packet boat) conveying the same, and transmitted between such port and any such colony or foreign country; provided that in all cases where such additional rate includes both inland and sea services, there shall be deducted therefrom the sum of 1*d.* in respect of the inland conveyance, under this clause, of every such letter sent through the United Kingdom.

3. All such respective letters so transmitted as hereinbefore in this Warrant mentioned, if exceeding  $\frac{1}{4}$  of an ounce in weight, shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned; that is to say:

On every such letter, if exceeding  $\frac{1}{4}$  of an ounce, and not exceeding  $\frac{1}{2}$  of an ounce in weight, there shall be charged, taken, and paid two rates of postage;

And on every such letter, if exceeding  $\frac{1}{2}$  of an ounce, and not exceeding  $\frac{3}{4}$  of an ounce in weight, 3 rates of postage;

And on every such letter, if exceeding  $\frac{3}{4}$  of an ounce, and not exceeding 1 ounce in weight, 4 rates of postage;

And for every additional  $\frac{1}{4}$  of an ounce in weight of any such letter, above the weight of 1 ounce, there shall be charged, taken, and paid one additional rate of postage, and every fractional part of such additional  $\frac{1}{4}$  of an ounce, shall be charged as an additional  $\frac{1}{4}$  of an ounce in weight; and each progressive and additional rate chargeable under this clause, shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding  $\frac{1}{4}$  of an ounce in weight.

4. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions or privileges granted by or under the said recited Act, or by or under any other Acts of Parliament relating to the Post Office, or any of the privileges which officers, seamen, and soldiers, employed in Her Majesty's service are by law entitled to, of sending and

receiving by the post letters subject to the regulations and restrictions in respect of the same.

5. The rates of postage chargeable on letters, transmitted by the post under the provisions of this Warrant, shall be in lieu of the rates of British postage now chargeable thereon, under or by virtue of a certain Warrant under the hands of the Commissioners of Her Majesty's Treasury, bearing date the 14th day of May, 1863,\* and the same, together with the whole of such Warrant, are hereby repealed, revoked, and annulled.

6. Nothing herein contained shall be construed to extend to any letters transmitted by the post between the United Kingdom and the *Ionian Islands* *viâ France* (the sea conveyance in the Mediterranean being by French packet boat).

7. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said recited Act.

8. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands duly made, at any time hereafter alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which may be payable are to be paid.

9. This Warrant shall come into operation on the 1st day of September, 1864.

Whitehall Treasury Chambers, August 16, 1864.

WM. DUNBAR.

LUKE WHITE.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters transmitted between Malta and the Ionian Islands, otherwise than viâ Italy.*—April 13, 1865.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the regulation of the duties of postage,"† power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof and a scale of weight to be contained in such Warrant.

\* See Vol. 11. Page 1047.

† See Vol. 5. Page 248.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her present Majesty, intituled "An Act for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office."\*

And whereas it is expedient that regulations should be made for the transmission by the post of the letters herein-after mentioned.

Now, we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore-recited Acts, and each of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners (by the authority of the statute in that case made and provided), order, direct, and declare as follows:

1. On every letter not exceeding  $\frac{1}{4}$  of an ounce in weight, posted in *Malta*, addressed to the *Ionian Islands*, or posted in the *Ionian Islands*, addressed to *Malta*, and transmitted between *Malta* and the *Ionian Islands*, otherwise than in closed mails, viâ *Italy* (the sea conveyance being by Italian mail packet boats), there shall be charged and taken a combined British and *Foreign* rate of postage of 6d.

2. On every letter transmitted as is hereinbefore in this Warrant mentioned, exceeding  $\frac{1}{4}$  of an ounce in weight, there shall be charged, taken, and paid, progressive and additional rates of postage according to the scale of weight and number of rates following (that is to say):

On every letter so transmitted exceeding  $\frac{1}{4}$  of an ounce in weight, and not exceeding  $\frac{1}{2}$  of an ounce in weight, 2 rates of postage;

On every letter so transmitted exceeding  $\frac{1}{2}$  of an ounce and not exceeding  $\frac{3}{4}$  of an ounce in weight, 3 rates of postage;

And on every letter so transmitted exceeding  $\frac{3}{4}$  of an ounce and not exceeding 1 ounce in weight, 4 rates of postage;

And for every additional  $\frac{1}{4}$  of an ounce in weight of any letter so transmitted above the weight of 1 ounce there shall be charged, taken, and paid, one additional rate of postage, and every fractional part of such additional  $\frac{1}{4}$  of an ounce shall be charged as an additional  $\frac{1}{4}$  of an ounce in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant if not exceeding a  $\frac{1}{4}$  of an ounce in weight.

3. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions and

\* See Vol. 8. Page 247.



privileges granted by or under the said hereinbefore recited Acts, or either of them, or by or under any other Acts of Parliament relating to the Post Office, or any of the privileges which officers, seamen, and soldiers employed in Her Majesty's service are by law entitled to, of sending and receiving letters by the post, subject to the regulations and restrictions in respect of the same.

4. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act, passed in the 4th year of the reign of Her present Majesty.

5. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, or the hands of any two of them, at any time hereafter, alter, repeal, or revoke any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which may be payable are to be paid.

6. This Warrant shall come into operation on the 1st day of May, 1865.

Whitehall Treasury Chambers, the 13th day of April, 1865.

WM. DUNBAR.  
LUKE WHITE.

## ITALY.

ADDITIONAL ARTICLES *to the Detailed Regulations between the Post Office of Great Britain and the Post Office of Sardinia, for the execution of the Postal Convention of 12th December, 1857.\*—Signed in the English and French languages at* <sup>Turin, 12th</sup> <sub>London, 18th</sub> *March, 1863.*

IN pursuance of the power granted by Articles XXII and XXIII of the Convention of 12th December, 1857, between Great Britain and Sardinia, to the two Post Offices to settle the matters of detail which are to be arranged by mutual consent for ensuring the execution of the said Convention:

The Undersigned, duly authorized for that purpose by their respective Governments, have agreed upon the following Articles:

ART. I. There shall be a periodical and regular exchange of

\* See Vol. 10. Page 961.

correspondence between Italy and the Ionian Islands as well by means of the Italian packets as by means of the Austrian packets plying between the ports of Italy and the port of Corfu.

II. The payments on account of the conveyance in closed mails by means of the Austrian packets of correspondence exchanged between Italy and the Ionian Islands, shall be made by the Italian Post Office in virtue of arrangements in force with the Austrian Post Office.

III. The exchange of correspondence between the Italian and the Ionian offices shall be effected in the following manner, viz.:

The office of Ancona shall correspond with the office of Corfu by means of the Italian packets on the line from Ancona to Alexandria, and by means of the Austrian Lloyds packets of the Greco-Oriental line.

The Post Office agents on board the Italian packets plying from Ancona to Messina, and from Messina to Ancona, shall correspond equally with the office of Corfu.

IV. The total amount of postage to be collected in Italy, upon paid letters addressed to the Ionian Islands, as well as upon unpaid letters originating in the Ionian Islands addressed to Italy, which shall be dispatched either by means of the Italian packets or by means of the Austrian packets, shall be as follows, viz.:

1. For every paid letter 40 centimes per  $7\frac{1}{2}$  grammes or fraction of  $7\frac{1}{2}$  grammes;

2. And for every unpaid letter 60 centimes per  $7\frac{1}{2}$  grammes, or fraction of  $7\frac{1}{2}$  grammes.

Reciprocally, the total amount of postage to be collected in the Ionian Islands upon paid letters addressed to Italy, as well as upon unpaid letters originating in Italy addressed to the Ionian Islands, shall be as follows, viz.:

1. For every paid letter 4*d.* per  $\frac{1}{4}$  of an ounce British, or fraction of a  $\frac{1}{4}$  of an ounce British;

2. And for every unpaid letter 6*d.* per  $\frac{1}{4}$  of an ounce British, or fraction of a  $\frac{1}{4}$  of an ounce British.

V. The Post Office of Italy shall pay to the British Post Office, viz.:

1. For every paid letter originating in Italy addressed to the Ionian Islands the sum of  $12\frac{1}{2}$  centimes per  $7\frac{1}{2}$  grammes, or fraction of  $7\frac{1}{2}$  grammes;

On its side the British Post Office shall pay to the Post Office of Italy, viz.:

1. For every paid letter originating in the Ionian Islands addressed to Italy the sum of 2*½d.* per  $\frac{1}{4}$  of an ounce British, or fraction of a  $\frac{1}{4}$  of an ounce British;

2. And for every unpaid letter originating in Italy addressed

to the Ionian Islands the sum of 3½*d.* per ¼ of an ounce British, or fraction of a ¼ of an ounce British.

VI. The Inhabitants of the Kingdom of Italy and of the Ionian Islands may send registered letters from one country to the other.

The postage of registered letters must always be paid in advance.

A fee or additional charge, the amount of which the dispatching office shall fix, may be levied and retained in the country from which the registered letters are dispatched, but no postage duty or tax whatsoever shall be levied on the delivery of registered letters forwarded from Italy to the Ionian Islands, or *vice versâ*.

VII. The Post Office of Italy shall account to the British Post Office for the sum of 30 centimes in addition to the postage due to the British Post Office upon every registered letter originating in Italy and addressed to the Ionian Islands.

On its side the British Post Office shall account to the Post Office of Italy for the sum of 3*d.* in addition to the postage due to the Post Office of Italy upon every registered letter originating in the Ionian Islands and addressed to Italy.

VIII. Subject to the following conditions, book packets, including in that designation newspapers and printed papers of every kind, may be sent from Italy to the Ionian Islands at such rates of postage as may be fixed from time to time by the Italian Post Office, and from the Ionian Islands to Italy at such rates of postage as may be fixed from time to time by the Ionian Post Office:

1. The postage must be prepaid, but the dispatching office may, if it thinks proper, permit a book packet prepaid, at least to the extent of one rate, to be forwarded to its destination. In such case the packet shall be charged with the amount of the deficiency, together with one additional rate of postage as a fine, both which sums shall be collected and retained by the office to which the packet is forwarded.

2. Every packet must be sent either without a cover, or in a cover open at the ends or sides, so as to admit of the examination of its contents.

3. A book packet may contain any number of separate books or other publications, prints, or maps, and any quantity of paper, parchment, or vellum, and the books or other publications, prints, maps, &c., may be either printed, written, or plain, or any mixture of the three. Further, all legitimate binding, mounting, or covering of a book, publication, &c., or of a portion thereof, shall be allowed, whether such binding, &c., be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise) in the case of books, and, in short, whatever is necessary for the safe

transmission of literary or artistic matter, or usually appertains thereto, but no patterns or books or books of patterns (unless these consist merely of paper) shall be allowed.

4. No book packet may contain any written letter closed or open, or any inclosure sealed or otherwise closed against inspection, nor must there be any letter nor any communication of the nature of a letter written in any such packets, or in or upon its cover.

5. No book packet must exceed 2 feet British, or 7 decimetres in length, width, or depth.

The transmission by the Italian packets of book packets from Italy to the Ionian Islands, or from the Ionian Islands to Italy, shall not give rise to any accounts between the British and the Italian Post Offices.

But, when the transmission of these articles shall take place by means of the Austrian packets, the British Post Office shall account to the Italian Post Office for such of the printed papers as shall be dispatched from the Ionian Islands to Italy at the rate of 3 francs per kilogramme, in repayment of the charges payable by the Italian Office to the Austrian Office for the conveyance of these articles by means of the Austrian packets.

IX. The letters and book packets forwarded by the Ionian Post Office to the Italian Post Office, or by the Italian Post Office to the Ionian Post Office, as paid to destination, shall not be charged with any rate or duty whatever on delivery.

X. Ordinary or registered letters and book packets, misdirected or missent, shall be reciprocally returned without delay through the respective offices of exchange for the same weight and amount of postage at which they were charged by the dispatching office to the other office.

The articles of a like nature addressed to persons who have changed their residence shall be mutually forwarded or returned, charged with the rate that would have been paid by the receivers.

XI. Ordinary or registered letters and book packets exchanged between the Post Offices of Italy and the Ionian Islands, which cannot be delivered, from whatever cause, shall be mutually returned at the expiration of every month. Such of these articles as shall have been charged in the accounts shall be returned for the amount of postage which was originally charged by the sending office.

Those which were sent paid to destination shall be returned without postage or charge.

XII. It is agreed that, with reference to the execution of the present Articles, 30 grammes shall be equal to 1 ounce British, 10 centimes to 1*d.* British, and 1 franc 20 centimes to 1*s.* British.



XIII. Each of the mails exchanged between the Italian and the Ionian Post Offices shall be accompanied by a letter bill, in which the dispatching office shall state the nature of the articles which the mail contains, and the amount of postage due to each office.

The office to which the mail shall be forwarded shall acknowledge its receipt to the dispatching office by return of post.

The letter bills and acknowledgments of receipt for the use of the respective offices of exchange shall be according to the patterns annexed to the present Articles.

XIV. The provisions of the Articles XII, XIV, XVIII, XIX, XXI, XXII, XXIII, and XXIV of the detailed regulations arranged between the Post Office of Great Britain and the Post Office of Sardinia, for the execution of the Convention of the 12th December, 1857, signed at London the 24th December, 1857, and at Turin the 29th December, 1857,\* are applicable to the correspondence referred to in these Articles.

XV. In exception to the stipulations of Article XVII of the Convention of the 12th December, 1857, it is agreed that the rate to be paid by the British Post Office to the Italian Post Office for the letters and book packets, contained in the closed mails, which the British Post Office may exchange by way of Italy, and by means of Italian mail packets with the Ionian Islands, shall be as follows :

1. For letters: 30 centimes per ounce British net weight for the transit over the territory of Italy; 60 centimes per ounce British net weight for sea conveyance by Italian packets.

2. For book packets: 50 centimes per kilogramme net weight for the transit over the territory of Italy; 50 centimes per kilogramme net weight for sea conveyance by Italian packets.

XVI. In like exception to the stipulations of Article XVII of the Convention of the 12th December, 1857, it is agreed that the rate to be paid by the Italian Post Office to the British Post Office for the sea conveyance between Dover and Calais, and for the transit over the territory of the United Kingdom of letters contained in the closed mails, which the Italian Post Office may exchange by way of the United Kingdom with the several States of America or other foreign countries, shall be as follows :

40 centimes per 30 grammes of letters net weight.

And that the rate to be paid by the Italian Post Office to the British Post Office for the sea conveyance by British mail packets or private ships leaving or arriving at ports of the United Kingdom of Great Britain and Ireland, of letters contained in the closed mails, which the Italian Post Office may exchange by way of the United Kingdom with Brazil, Uruguay, and the Argentine Republic, shall be as follows :

\* See Sardinia.

2 francs 80 centimes per 30 grammes of letters net weight.

XVII. The present Articles shall be considered as additional to the detailed regulations referred to in Article XIV preceding, and shall be carried into effect on the 1st day of May, 1863.

Done in duplicate and signed at London the 18th day of March, and at Turin 12th day of March, 1863.

STANLEY OF ALDERLEY.  
G. BARBAVARA.

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ADDITIONAL ARTICLES *to those agreed upon between the Post Office of Great Britain and the Post Office of Sardinia, on the 24th December, 1857,\* for carrying into execution the Convention of the 12th December, 1857.†—Signed in the English and French languages at* *London, November 30.* *Turin, December 4.* 1863.

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IN pursuance of the power granted by Articles XXII and XXIII of the Convention of 12th December, 1857, between Great Britain and Sardinia, to the two Post Offices to settle the matters of detail which are to be arranged by mutual consent for ensuring the execution of the said Convention.

The Undersigned, duly authorized for that purpose by their respective Governments, have agreed upon the following Articles :

ART. I. Subject to the following conditions, patterns of merchandize shall be forwarded from the United Kingdom of Great Britain and Ireland and from the Island of Malta to Italy at such rates of postage as may be fixed from time to time by the British Post Office, and from Italy to the United Kingdom of Great Britain and Ireland and to the Island of Malta, at such rates of postage as may be fixed from time to time by the Italian Post Office :

1. The patterns of merchandize must not be of intrinsic value. No article of a saleable nature or which has a mercantile value, either by reason of its quality or its quantity, and of which a use might be made otherwise than as a pattern, shall be sent at the rate applicable to patterns of merchandize.

2. The patterns of merchandize must not bear any other writing than the address of the person for whom they are intended, a manufacturer's or trade mark, numbers, and prices.

3. The patterns of merchandize must be sent (as in the case of books) in covers open at the ends so as to admit of easy examination. Samples, however, of seeds, drugs, and articles of a similar description which cannot be sent in open covers, shall be allowed to be enclosed in bags of linen, paper, or other material, tied at the neck with a string; but closed bags, although transparent, shall not be used for this purpose.

\* See Sardinia.

† See Vol. 10. Page 961.

4. No article likely to injure the contents of the mail bags or the person of any officer of the Post Office shall be sent through the post as a pattern of merchandize.

II. The British Post Office shall pay to the French Post Office the transit rate which will be due to France for the conveyance over the French territory of patterns of merchandize sent in both directions between the United Kingdom of Great Britain and Ireland and Italy, and the Italian Post Office shall repay to the British Post Office the total amount of the transit rate paid to France for the conveyance of the patterns of merchandize contained in all the mails forwarded from Italy to the United Kingdom of Great Britain and Ireland.

The British Post Office shall further pay to the French Post Office the sea rate due to France for the conveyance of patterns of merchandize sent in both directions by French Mail Packets between Malta and Italy.

III. The Post Office of Italy shall pay to the British Post Office upon such of the patterns of merchandize, mentioned in Article I preceding, as shall originate in the Kingdom of Italy, the sum of 1 franc per kilogramme net weight.

The British Post Office, on its side, shall pay to the Post Office of Italy on such of the patterns of merchandize, mentioned in Article I preceding, as shall originate in the United Kingdom of Great Britain and Ireland, a like sum of 1 franc per kilogramme net weight.

IV. The transmission by Italian packets of patterns of merchandize from Malta to Italy or from Italy to Malta shall not give rise to any accounts between the British and the Italian Post Offices.

But when the transmission of these articles shall take place by means of French packets, the Italian Post Office shall account to the British Post Office for such of the patterns of merchandize as shall be despatched from Italy to Malta, at the rate of 1 franc per kilogramme, in repayment of the sea rate payable by the British Post Office to the French Post Office for the conveyance of those articles by means of the French packets.

V. The present Articles shall be considered as additional to the detailed regulations arranged between the Post Office of Great Britain and the Post Office of Sardinia for the execution of the Postal Convention of 12th December, 1857, and shall be carried into effect on the 1st day of January, 1864.

Done in duplicate and signed in London on the 30th day of November, 1863, and in Turin on the 4th day of December of the same year.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) G. BARBAVARA.

**BRITISH TREASURY WARRANT, fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted from the United Kingdom, or from Malta, to Italy. December 22, 1863.**

WHEREAS by an Act of Parliament, passed in the 4th year of the reign of Her Majesty, cap. 96,\* for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage, payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament, passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas the Commissioners of Her Majesty's Treasury, by a certain Warrant in writing, under their hands, bearing date at Whitehall Treasury Chambers the 15th day of January, 1858,‡ in exercise of the powers reserved to them, in and by the said hereinbefore recited Acts of Parliament, and every of them, and of all other powers enabling them in that behalf, did order, direct, and declare (amongst other things) that all packets consisting of books, publications, or works of literature or art, whether British, *Colonial* or *Foreign*, posted in the United Kingdom, addressed to *Sardinia*, or posted in *Malta*, addressed to *Sardinia*, might be so respectively transmitted, subject to the several rates of postage and regulations therein contained. And the said Commissioners of Her Majesty's Treasury did further order, direct, and declare, that the Commissioners for the time being of Her Majesty's Treasury, might by Warrant under their hands, or the hands of any two of them, at any time thereafter, alter, repeal, or revoke, any of the rates of postage thereby fixed or altered, or any of the orders, directions and conditions thereby made, and might make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which might be payable were to be paid.

And whereas it is expedient to extend the privileges granted by the said recited Warrant of the said Commissioners of Her Majesty's Treasury, bearing date the said 15th day of January, 1858, and to authorize the transmission by the post from the

\* See Vol. 5. Page 248. † See Vol. 8. Page 247. ‡ See Vol. 10. Page 970.



United Kingdom to *Italy*, and from *Malta* to *Italy* of certain other packets, and for that purpose to make certain further and other regulations in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us, in and by the said hereinbefore recited Acts of Parliament, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows, that is to say :

1. All packets consisting of patterns or samples of merchandize of no intrinsic value, posted in the United Kingdom addressed to *Italy*, may be transmitted by the post from the United Kingdom to *Italy*, in closed mails viâ France, subject to the several rates of postage hereinafter mentioned, that is to say :

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid the uniform single rate of postage of 4*d*.

And on every such packet, if exceeding 4 ounces, and not exceeding  $\frac{1}{2}$  of a pound in weight, there shall be charged, taken, and paid 2 rates of postage.

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound, and not exceeding 1 pound in weight, there shall be charged, taken, and paid 4 rates of postage.

And on every such packet, if exceeding 1 pound, and not exceeding  $1\frac{1}{2}$  pound in weight, there shall be charged, taken, and paid 6 rates of postage.

And on every such packet, if exceeding  $1\frac{1}{2}$  pound, and not exceeding 2 pounds in weight, there shall be charged, taken, and paid 8 rates of postage.

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of 2 pounds, there shall be charged, taken, and paid 2 additional rates of postage; and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight, shall be charged as an additional  $\frac{1}{2}$  of a pound in weight; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

2. All packets, consisting of patterns or samples of merchandize, of no intrinsic value, posted in *Malta* addressed to *Italy*, may be transmitted by the post from *Malta* to *Italy* by French or by Italian mail-packet boats, subject to the several rates of postage hereinafter mentioned, that is to say :

On every such packet, if not exceeding 2 ounces in weight, there shall be charged, taken, and paid the uniform single rate of postage of 2*d*.

And on every such packet, if exceeding 2 ounces and not exceeding 4 ounces in weight, there shall be charged, taken, and paid 2 rates of postage.

And on every such packet, if exceeding 4 ounces, and not exceeding  $\frac{1}{2}$  of a pound in weight, 4 rates of postage.

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound, and not exceeding 1 pound in weight, 8 rates of postage.

And on every such packet, if exceeding 1 pound, and not exceeding  $1\frac{1}{2}$  pound in weight, 12 rates of postage.

And on every such packet, if exceeding  $1\frac{1}{2}$  pound, and not exceeding 2 pounds in weight, 16 rates of postage.

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of 2 pounds, there shall be charged, taken, and paid 4 additional rates of postage; and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight, shall be charged as an additional  $\frac{1}{2}$  of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 2 ounces in weight.

3. Every packet which shall be transmitted by the post under the authority of this Warrant shall be so transmitted in conformity with, and under and subject to, the several regulations, orders, directions, and conditions hereinafter contained, that is to say:

4. No such packet, which in length, or breadth, or width shall exceed the dimensions of 2 feet, shall be transmitted by the post under the provisions of this Warrant.

5. No pattern or sample, being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

6. There shall be no enclosure, sealed or otherwise closed against inspection, nor any other enclosure, not authorized by this Warrant, sent in or with any such packet.

7. There shall be no writing or marks of any description in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, a trade mark, and number and price.

8. All such packets shall be sent in covers open at the ends, so as to be easy of examination. Nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in bags of linen or of other material, which shall be tied at the neck with string; but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

9. Every such packet posted in the United Kingdom shall

be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

10. The postage of all such packets as aforesaid, posted in the United Kingdom, shall in every case be paid at the time of the same being posted, either in money or by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

11. The postage of all such packets as aforesaid, posted in Malta, shall in every case be paid at the time of the same being posted.

12. If any packet transmitted by the post under the provisions of this Warrant be sent by the post otherwise than in conformity with the conditions and regulations established by or under the authority of this Warrant, the same shall and may be detained and opened, and, at the option of the Postmaster-General, shall be either returned or be given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such packet on being so returned, given up, or forwarded, shall be chargeable with any rates of postage the Postmaster-General may think fit not exceeding the rates that would be chargeable on such packet as an unpaid letter.

13. In order to prevent any obstacle to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, whenever it may be necessary so to do, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

14. The several packets transmitted by the post under the provisions of this Warrant, shall be subject to the several orders, directions, regulations, and rates of postage, respectively contained in a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 19th day of February, 1855,\* relating to re-directed rates of postage upon letters and packets which shall be re-directed and again forwarded by the post, so far as the same are applicable to such packets.

15. The terms and expressions used in this Warrant shall be construed to have the like meaning, in all respects, as they would have had if inserted in the said Act, passed in the 4th year of the reign of Her Majesty, cap. 96.

16. The Commissioners for the time being of Her Majesty's

\* See Vol. 10. Page 289.

Treasury may, by Warrant under their hands duly made, at any time hereafter alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates which may be payable are to be paid.

17. This Warrant shall come into operation on the 1st day of January, 1864.

Whitehall Treasury Chambers, the 22nd day of December, 1863.

WM. DUNBAR.

E. H. KNATCHBULL-HUGESSEN.

ADDITIONAL ARTICLES *to those agreed upon between the Post Office of Great Britain and the Post Office of Sardinia, on the 3<sup>rd</sup> December, 1857,\* for carrying into execution the Convention of the 12th December, 1857.† Signed at <sup>London, 6th</sup> <sub>Turin, 12th</sub> February, 1865.*

IN pursuance of the power granted by Articles XXII and XXIII of the Convention of 12th December, 1857, between Great Britain and Sardinia, to the two Post Offices, to settle the matters of detail which are to be arranged by mutual consent for ensuring the execution of the said Convention, the Undersigned, duly authorized for that purpose by their respective Governments, have agreed upon the following Articles:—

ART. I. Subject to the following conditions, patterns of merchandize may be forwarded from Italy, by way of the United Kingdom of Great Britain and Ireland, or by way of Suez, and by means of the British Mail Packets, to those British Colonies or Countries beyond Sea which have already agreed or which may hereafter agree with the British Post Office for the transmission of patterns, at the same rates of postage and under the same general regulations as books.

1. The patterns of merchandize must not be of intrinsic value. No article of a saleable nature, or which has a mercantile value, either by reason of its quality or its quantity, and of which a use might be made otherwise than as a pattern, shall be sent at the rate applicable to patterns of merchandize.

2. The patterns of merchandize must not bear any other writing than the address of the sender and the address of the person for whom they are intended, a manufacturer's or trade mark, numbers, and prices.

3. The patterns of merchandize must be sent (as in the case of books) in covers open at the ends, so as to admit of easy examination. Samples, however, of seeds, drugs, and articles of a similar description, which cannot be sent in open

\* See Sardinia.

† See Vol. 10. Page 961.



covers, shall be allowed to be enclosed in bags of linen, paper, or other material, tied at the neck with a string; but closed bags, although transparent, shall not be used for this purpose.

4. No article likely to injure the contents of the mail bags, or the person of any officer of the Post Office, shall be sent through the post as a pattern of merchandize.

II. The British Post Office shall pay to the French Post Office the transit rate which will be due to France for the conveyance over the French territory of such patterns of merchandize referred to in Article I preceding as shall be sent from Italy by way of the United Kingdom, and the Italian Post Office shall repay to the British Post Office the total amount of the transit rate so paid to France.

III. The Post Office of Italy shall pay to the British Post Office, for the conveyance across the United Kingdom of Great Britain and Ireland, of patterns of merchandize in transit, which the British Post Office shall convey through its territory on account of the Post Office of Italy, the sum of 1 franc per kilogramme, net weight.

The Post Office of Italy shall further pay to the British Post Office for the sea conveyance of patterns of merchandize which shall be conveyed on account of the Post Office of Italy by British mail Packets, or by private ships leaving or arriving at the ports of the United Kingdom of Great Britain and Ireland, the sum of 1 franc per kilogramme, net weight.

The same sum of 1 franc per kilogramme shall be paid by the Post Office of Italy to the British Post Office for the sea conveyance of patterns of merchandize which shall be conveyed on account of the Post Office of Italy by British mail packets from Suez.

In consideration of the expense incurred by the British Post Office for the conveyance of mails across the Isthmus of Suez or the Isthmus of Darien, the Post Office of Italy shall further pay to the British Post Office, for patterns of merchandize which the Post Office of Italy shall forward or receive by British mail packets, and by way of either Isthmus, viz.:

For the conveyance of patterns of merchandize across the Isthmus of Suez a transit rate of 80 centimes per kilogramme net weight:

For the conveyance of patterns of merchandize across the Isthmus of Darien a transit rate of 2 francs 40 centimes per kilogramme net weight.

IV. The British Post Office shall inform the Italian Office from time to time to what British colonies and countries beyond sea the Italian Post Office may forward patterns of merchandize in transit through the United Kingdom, under the provisions of the foregoing Articles.

V. The present Articles shall be considered as additional to

the detailed regulations arranged between the Post Office of Great Britain and the Post Office of Sardinia for the execution of the Postal Convention of 12th December, 1857, signed at London, the 24th and at Turin the 29th December, 1857, and shall be carried into effect on the 1st day of March, 1865.

Done in duplicate and signed in London on the 6th day of February, 1865, and in Turin on the 12th day of the same month and year.

(L.S.) STANLEY OF ALDERLEY.  
(L.S.) G. BARBAVARA.

BRITISH ORDER IN COUNCIL, *granting the privilege of Copyright in the British Dominions to the Authors of Works of Literature and the Fine Arts, first published, and to the Authors of Dramatic Pieces or Musical Compositions, first represented or performed, within the Kingdom of Italy.* Windsor, September 9, 1865.

*At the Court at Windsor, the 9th day of September, 1865.*  
PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS a Convention was concluded on the 30th November, 1860,\* between Her Majesty and the King of Sardinia (now the King of Italy), whereby due protection was secured within the States of His Sardinian Majesty for the benefit of authors of books, dramatic pieces, musical compositions, drawings, paintings, articles of sculpture, engravings, lithographs, and any other works of literature and of the fine arts, in which the laws of Great Britain and of the States of His Sardinian Majesty did then or might thereafter give their respective subjects the right of property or copyright, and for the benefit of the lawful representatives or assigns of such authors, with regard to any such works first published within the dominions of Her Majesty:

And whereas it has been made to appear to Her Majesty, that the stipulations of the said Convention are in force throughout all the States which form the Kingdom of Italy:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority committed to her by an Act passed in the session of Parliament, holden in the 7th and 8th years of her reign intituled "An Act to amend the law relating to International Copyright;"† and of another Act passed in the session of Parliament, holden in the 15th and 16th years of her reign, intituled "An Act to enable Her Majesty to carry into effect a Convention with France on the

\* See Vol. 11. Page 507.

† See Vol. 7. Page 579.

subject of copyright, to extend and explain the International Copyright Acts, and to explain the Acts relating to copyright in engravings,"\* doth order, and it is hereby ordered, that, from and after the day next after the day of the publication hereof in the "London Gazette," the authors, inventors, designers, engravers, and makers of any of the following works, that is to say:—books, dramatic works, musical compositions, drawings, paintings, sculpture, engravings, lithographs, and any other works of literature and the fine arts, in which the laws of Great Britain give to British subjects the privilege of copyright, and the executors, administrators, and assigns of such authors, inventors, designers, engravers, and makers respectively, shall, as respects works first published within the Kingdom of Italy after the said day next after the day of publication hereof, have the privilege of copyright therein for a period equal to the term of copyright which authors, inventors, designers, engravers, and makers of the like works respectively, first published in the United Kingdom, are by law entitled to, provided such books, dramatic works, musical compositions, drawings, paintings, sculpture, engravings, lithographs, or other works of literature or the fine arts shall have been registered, and copies thereof shall have been delivered according to the requirements of the said recited Acts within 3 months after the first publication thereof in any part of the Kingdom of Italy, or if such work be published in parts, then within 3 months after the publication of the last part thereof:

And it is hereby further ordered, that the authors of dramatic pieces and musical compositions, which shall after the day aforesaid be first publicly represented or performed within the Kingdom of Italy, or their executors, administrators, or assigns, shall have the sole liberty of representing or performing in any part of the British dominions such dramatic pieces or musical compositions, during a period equal to the period during which authors of dramatic pieces and musical compositions first publicly represented or performed in the United Kingdom, are entitled by law to the sole liberty of representing or performing the same, provided such dramatic pieces or musical compositions have been registered, and copies thereof have been delivered according to the requirements of the said first-recited Act, within 3 months after the time of their being first represented or performed in any part of the Kingdom of Italy:

And Her Majesty, by and with the advice aforesaid, and by virtue of the authority of the said secondly hereinbefore-recited Act, doth hereby order that the authors of any works published, or of any dramatic pieces first publicly represented in the Kingdom of Italy at any time after the day next after

\* See Vol. 9. Page 276.

the day of the publication hereof in the "London Gazette," who may choose to reserve the right of translating such works or dramatic pieces, their executors, administrators, and assigns shall, until the expiration of 5 years from the date of the first publication of the translations authorized by them respectively of such works, or from the time at which the translations authorized by them of such dramatic pieces are first published or publicly represented, be entitled, subject to the provisions mentioned in the said last-mentioned Act, to prevent the publication in the British dominions of any translation of such works or dramatic pieces, and the representation therein of any translation of such dramatic pieces not so respectively authorized by them :

And it is further ordered that the time within which any such authorized translation as aforesaid, must be registered and deposited in the United Kingdom pursuant to the last-mentioned Act, shall be 3 months from the publication thereof, either in the United Kingdom or the Kingdom of Italy, or if such translation be published in parts within 3 months of the publication of the last part thereof: and Her Majesty by and with the advice aforesaid, and by virtue of the authority of the said secondly hereinbefore recited Act, doth further order that an Order in Council of the 4th February, 1861,\* to give effect to a Convention between Her Majesty and the King of Sardinia, on the subject of copyright shall be, and the said Order is hereby from henceforth revoked, save so far as relates to any rights heretofore acquired by or vested in any persons or person under and by virtue thereof, and as to all which rights the same Order is to remain in full force and effect :

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury are to give the necessary directions herein accordingly.

ARTHUR HELPS.

## JAPAN.

*MEMORANDUM agreed upon between the British and Japanese Governments, deferring for a period of 5 years from the 1st January, 1863, the opening of the Japanese Ports of Ne-gata and Hiogo to British Subjects, and the Residence of British Subjects at Osaca and Yeddo. London, June 6, 1862.†*

It has been represented to Her Britannic Majesty's Minister in Japan by the Ministers of the Tycoon, and to Her Majesty's Government by the Envoys who have been sent to England by

\* See Vol. 11. Page 513.

† Notification made to the Japanese Ministers by Her Majesty's Chargé d'Affaires in Japan, August 21, 1862.



the Tycoon, that difficulties are experienced by the Tycoon and his Ministers in giving effect to their engagements with foreign Powers having Treaties with Japan, in consequence of the opposition offered by a party in Japan which is hostile to all intercourse with foreigners.

Her Majesty's Government having taken those representations into consideration, are prepared, on the conditions hereinafter specified, to consent to defer for a period of 5 years, to commence from the 1st of January, 1863, the fulfilment of those portions of Article III of the Treaty between Great Britain and Japan of the 26th of August, 1858,\* which provide for the opening to British subjects of the port of Ne-egata or some other convenient port on the West Coast of Nipon on the 1st day of January, 1860, and of the port of Hiogo, on the 1st day of January, 1863, and for the residence of British subjects in the city of Yeddo from the 1st day of January, 1862, and in the city of Osaca from the 1st day of January, 1863.

Her Majesty's Government, in order to give to the Japanese Ministers the time those Ministers consider necessary to enable them to overcome the opposition now existing, are willing to make these large concessions of their rights under Treaty; but they expect that the Tycoon and his Ministers will in all other respects strictly execute at the ports of Nagasaki, Hakodadi, and Kanagawa, all the other stipulations of the Treaty; that they will publicly revoke the old law outlawing foreigners; and that they will specifically abolish and do away with—

1. All restrictions, whether as regards quantity or price, on the sale by Japanese to foreigners of all kinds of merchandize according to Article XIV of the Treaty of the 26th of August, 1858.

2. All restrictions on labour, and more particularly on the hire of carpenters, boatmen, boats, and coolies, teachers, and servants of whatever denomination.

3. All restrictions whereby Daimios are prevented from sending their produce to market, and from selling the same directly by their own agents.

4. All restrictions resulting from attempts on the part of the Custom House authorities and other officials to obtain fees.

5. All restrictions limiting the classes of persons who shall be allowed to trade with foreigners at the ports of Nagasaki, Hakodadi, and Kanagawa.

6. All restrictions imposed on free intercourse of a social kind between foreigners and the people of Japan.

In default of the strict fulfilment by the Tycoon and his Ministers of these conditions, which, indeed, are no other than those which they are already bound by Treaty to fulfil, Her Majesty's Government will, at any time within the aforesaid

\* See Vol 11. Page 396.

period of 5 years, commencing from the 1st of January, 1863, be entitled to withdraw the concessions in regard to the ports and cities made by this Memorandum, and to call upon the Tycoon and his Ministers to carry out, without delay, the whole of the provisions of the Treaty of August 26, 1858, and specifically to open the aforesaid ports and cities for the trade and residence of British subjects.

The Envoys of the Tycoon accredited to Her Britannic Majesty announce their intention, on their return to Japan, to submit to the Tycoon and his Ministers the policy and expediency of opening to foreign commerce the port of Tsusima in Japan, as a measure by which the interests of Japan will be materially promoted; and they engage to suggest to the Tycoon and his Ministers to evince their goodwill to the nations of Europe, and their desire to extend commerce between Japan and Europe, by reducing the duties on wines and spirits imported into Japan, and by permitting glass-ware to be inserted in the list of articles on which an import duty of 5 per cent. is levied, and thereby remedying an omission inadvertently made on the conclusion of the Treaty; and they further engage to recommend to the Tycoon and his Ministers to make arrangements for the establishment at Yokohama and Nagasaki of warehouses in which goods coming from abroad may be deposited, under the control of Japanese officers, without payment of duties, until such time as the importers shall obtain purchasers for such goods, and be prepared to remove them on payment of the import duties.

Her Britannic Majesty's Principal Secretary of State for Foreign Affairs and the Envoys of the Tycoon have accordingly signed this Memorandum, which will be transmitted by the former to Her Majesty's Representative in Japan, and by the latter to the Tycoon and his Ministers, as an evidence of the arrangement made between them on this 6th day of June, 1862.

RUSSELL.

(Signatures of the 3 Japanese Envoys.)

BRITISH ORDER IN COUNCIL, *additional to the Order in Council of January 23, 1860,\* for the exercise of Power and Jurisdiction by Her Majesty in the Dominions of the Tycoon of Japan; relative to the non-return of British Subjects sent out of Japan.* Windsor, September 12, 1863.

[Repealed by Order in Council of 9th March, 1865.

See Page 281.]

\* See Vol. 11. Page 406.

AGREEMENT entered into by the Representatives of France, the United States, Great Britain, and Holland, for taking immediate measures for the re-opening of the Inland Sea of Japan. Yokohama, July 25, 1863.

LES Soussignés, Représentants au Japon de la France, des Etats Unis, de l'Angleterre, et des Pays Bas, se sont réunis le 25 Juillet, 1863, à Yokohama, à l'effet d'examiner l'état actuel des choses au Japon, et de prendre à cet égard une résolution.

Après discussion il a été convenu qu'il est indispensable pour le maintien des droits consacrés par les Traités conclus avec le Japon de procéder immédiatement à la réouverture de le Mer Intérieure, toujours pratiquée jusqu'à présent, et dont la libre circulation vient d'être inopinément interrompue par les agressions outrageantes dont le Daimio de Nagato s'est rendu coupable en faisant canonner des batteries érigées sur les côtes de ses Etats les bâtiments de commerce et de guerre de plusieurs des dites Puissances Contractantes, et qu'en conséquence il y a lieu d'inviter les Amiraux et autres officiers commandants les forces navales des Puissances ci-dessus désignées à prendre toutes mesures qu'il jugeront propres à amener ce résultat.

Dans ce but, aussi bien que dans l'intérêt de la protection de leurs nationaux dans les ports ouverts, les dits Représentants déclarent qu'il leur paraît nécessaire d'établir une action combinée des forces navales et militaires disponibles dans ces mers. Il est en outre convenu que le Gouvernement du Taïcoun sera informé de cette décision afin que ce Gouvernement soit mis à même de prendre immédiatement et activement, s'il le peut, les mesures nécessaires pour effectuer par ses propres moyens les objets seul indiquées, attendu que son action, si elle était aussi énergique et prompte que les circonstances actuelles l'exigent, pourrait dispenser les Agents des Puissances Contractantes de se livrer aux opérations dont les Soussignés ont exposé ci-dessus les motifs.

DUCHESNE DE BELLECOURT, *Ministre Plénipotentiaire de Sa Majesté l'Empereur des Français.*

ROBT. H. PRUYN, *Minister Resident of The United States in Japan.*

EDWD. ST. JOHN NEALE, *Her Britannic Majesty's Chargé d'Affaires.*

D. DE GRAEFF VAN POLSBROEK, *Consul-Général des Pays-Bas au Japon.*

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BRITISH ORDER IN COUNCIL, *extending the Powers of British Consuls in Japan.* Osborne, January 7, 1864.

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[Repealed by Order in Council of 9th March, 1865.

See Page 281].

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MEMORANDUM, *delivered by the British Minister in Japan, to the Prince of Choshu's Officers, relative to the maintenance by force by the Treaty Powers of Foreign Trade with Japan. July 21, 1864.*

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THE hostile position taken by the Prince of Choshu is one which cannot be longer endured. He began by firing indiscriminately on flags of Treaty Powers, which were at peace with Japan. This was not only an outrage offered to those Powers, but a violation of the law of nations. Whoever refuses to respect this law, everywhere acknowledged by civilized nations, will be treated as an outlaw, and all will combine against him as a common enemy.

The Prince of Choshu, not content with this first commencement of hostilities on his own account, though disavowed by the Tycoon, has declared his purpose was to stop foreign trade, and to cause a rupture of Treaty relations. Those who resolve to take this course, and commit acts of aggression or violence, will have to defend themselves and their territories against the combined forces of Treaty Powers.

Neither the Prince of Choshu nor any party of hostile Daimios can hope, in the end, to succeed in such a conflict. The fleets and armies, and the resources of every kind, which any one of the Great Powers of the West can command, are immeasurably greater than those which the Daimio of Nagato, or all the Daimios of Japan, can dispose of. Against such unequal odds defeat is sure to follow, sooner or later.

This is, indeed, so certain, that it is only possible to account for the hostile and obstructive position taken up by the Prince of Choshu, on the supposition that he is misled by false information. If, instead of cutting himself off from all sources of reliable information as to the power, resources, and policy of foreign States, he would either open his ports or enter into direct communication with foreign Representatives, he and all his people would be saved much evil. Better informed on what concerns his own safety and the welfare of his country, he would doubtless change his conduct.

He has already, it appears, sent some of the more intelligent of his own people abroad to learn all things needful; to see with their own eyes, and bring him back true reports. This was a wise measure, and it is hoped that good fruit will be the result; and to further this object a safe speedy passage back to Nagato, of two of these subjects of the Prince, has now been provided for by the British Admiral at their petition. This should at least prove to the Prince that on the part of Her Britannic Majesty's Representative there is no personal



enmity or feelings of hostility; on the contrary, he desires, were it possible, to see better relations established without the necessity of appealing to arms. These two young men, he understands, have recently returned from England, and earnestly desire, as loyal servants of the Prince, to present their reports before further mischief ensue from ignorance.

The following remarks are offered with the same object for the information of the Prince, and any of his brother Daimios who may be acting with him.

The Prince of Choshu, with certain other Daimios, 11 or more in number, are said to be hostile to foreigners. It is further reported that they seek the expulsion of all foreigners by force, and desire to revert to the old state of seclusion, denying all validity to existing Treaties.

But these Treaties exist; they have been solemnly accepted by the Tycoons of Japan as the supreme and only legal authority empowered by the usages of Japan to enter into relations with foreign Governments, or hold any intercourse with their Representatives; and whether the successive Tycoons may have exceeded their powers or not is entirely a question for the Japanese to settle among themselves. The Treaties entered into have now been in force during several years, and whatever may be the disputes in Japan, or the relative position or powers of the several authorities, Mikado, Tycoon, and Daimios, no foreign Power will allow such Treaties to be ignored or cancelled.

If the Treaties, as some Daimios contend, require the formal assent of the Mikado to make them legal and binding on the whole nation, let it be obtained, and if certain modifications are in their opinion imperatively required to put an end to the monopoly secured by the Tycoon, in his own interest exclusively, of all the trade, which he has carefully restricted to his own ports, let some direct means of communication be established with the foreign Representatives on the part of the Mikado and these Daimios. A good understanding might then be come to, and the end desired happily accomplished. Whereas a persistent attempt to expel foreigners from Japan, or even from Yokohama, instead of peaceful envoys, may bring armies to Kioto, as similar conduct led the armies of Great Britain and France victoriously to Pekin not 5 years ago.

But some sovereign authority must be recognized, whether as vested in a Mikado, or a Tycoon, or a Gorogio, with whom national compacts can be made, and by whom formal Treaties can be duly executed. There cannot be 20 or 100 petty Sovereigns and Princes in a country, with all of whom separate Treaties must be made, each to be valid only within the narrow limits of their own territories. This could only lead to

confusion. Whether this sovereign authority be vested in one or many hands it is for the Japanese themselves to settle, and is a matter of perfect indifference to foreigners. There is no desire in Europe to interfere in such questions. Neither is there any wish to uphold the Tycoon as the rightful or sole possessor of sovereign power. Still less is there any desire to uphold the Tycoon in his present monopoly of trade, restricting it to his own ports and officials. On the contrary, this is directly opposed to the spirit and the object of all the Treaties. Foreign Powers desire to see all the Daimios who are lords of the soil, and the Japanese equally, who assist in its cultivation, participate in the advantages, the movement, and the profits of trade. Then all ill-will and distrust would soon disappear. A freer intercourse would greatly tend to remove prejudices, and prevent all such restrictions and monopolies as now exist by the Tycoon's policy, for the advantage of the few at the expense of the many. Foreign Powers only desire to see these removed. They have no wish for territorial possessions in Japan, and no desire to call in question the rights and privileges of the ruling classes, so long as their existence is compatible with intercourse and trade. They desire only to enter into peaceful relations, and for their subjects to trade without vexatious interruptions or molestation, within such limits and under such conditions as Treaties may provide.

If some change should be required, either in the existing form of Government, or the exact wording and provisions of Treaties, in order to secure such a desirable end as peaceable and mutually profitable intercourse, the Treaty Powers are not likely to oppose any insuperable obstacle, if they are properly addressed. Nor, these ends secured, have they the slightest wish to interfere with the forms of government, the distribution of power, or the internal administration of the country.

But if any Daimio, or combination of hostile parties, should seek to make changes in the Government and Administration, as a means of destroying Treaties, and expelling foreigners; or begin hostilities with them, and the repudiation of Treaties, as a means of effecting either the destruction of the Tycoon, or other changes in the Government, in that case the Treaty Powers will treat them as common enemies, and combine their forces for their destruction.

On the other hand, they are ready to aid and support whoever may stand forward for the good of their country to maintain peace and order, recognizing existing Treaties as the basis of all future relations of Amity and Commerce with foreign Powers.

RUTHERFORD ALCOCK.

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**MEMORANDUM** *agreed upon between the Representatives of Great Britain, France, The United States, and the Netherlands in Japan, relative to the Coercive Measures to be taken against the Prince of Choshu in the Straits of Shimonasaki and elsewhere. Yokohama, August 15, 1864.*

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THE Undersigned, Representatives of Treaty Powers, having met and taken into consideration the copy of a Minute showing the result of the deliberations of the commanding officers of the respective naval forces assembled at Yokohama, and signed on the 12th instant, have agreed as follows :

1. To inform the commanding officers aforesaid that they are entirely relieved from all responsibility with regard to the defence and security of the Settlement.

2. To request them, in conformity with the programme of the policy set forth in the Memorandum of the Undersigned dated the 22nd of July last,\* to proceed with all convenient speed to open the Straits of Shimonasaki, destroying and disarming the batteries of the Prince of Choshu, and otherwise crippling him in all his means of attack ; to inform them that the political situation renders it desirable that there should be no considerable delay in the commencement of operations.

3. In the possibility of the Prince of Choshu being intimidated by the imposing nature of the force brought against him, and not firing, to request the naval officers, notwithstanding, to destroy the batteries, and take such means as may be deemed practicable to secure a material guarantee against any future hostilities from the same quarter.

4. To request them to avoid entering into any negotiations with the Prince, reserving the solution of all ulterior questions to the action of the Tycoon's Government, in connection with the foreign Representatives.

5. To suggest that any demonstration of force in the vicinity of Osaka be avoided, as possibly giving rise to some new complications, and in order not to change the character of this expedition, which ought to be regarded no otherwise than as a chastisement to be inflicted on an outlaw or a pirate.

6. To request the commanding officers to secure the return to Yokohama of such part of the squadron as may not be required for the maintenance of a free passage, as soon as the operations here contemplated shall have been completed.

\* See Addenda.

Signed this 15th day of August, 1864, at Yokohama.

(L.S.) RUTHERFORD ALCOCK, *Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.*

LEON ROCHES, *Ministre Plénipotentiaire de Sa Majesté Impériale au Japon.*

ROBT. H. PRUYN, *Minister Resident of the United States in Japan.*

D. DE GRAEFF VAN POLSBROEK, *Consul-General and Political Agent of His Netherlands Majesty in Japan.*

**MEMORANDUM** *agreed upon between the Representatives of Great Britain, France, The United States, and Netherlands, in Japan, relative to the non-Ratification by the Japanese Government of the Convention between France and Japan, signed at Paris, June 20, 1864,\* relative to the opening of the Straits of Shimonasaki.—Yokohama, August 25, 1864.*

THE Undersigned Representatives of Treaty Powers, having met in Conference in order to communicate to each other reciprocally the several answers received from the Ministers of the Tycoon, relative to the Convention signed in Paris on the 20th of June last by his Excellency the Minister of Foreign Affairs and the Japanese Envoys :

\* **CONVENTION.** *France and Japan. June 20, 1864.*

(Extrait.)

ART. 1. En réparation de l'acte d'hostilité commis, au mois de Juillet, 1863, contre le bâtiment de la marine impériale le "Kien Cheng," sur lequel des coups de canon ont été tirés, dans la Province de Nagato, le Gouvernement Japonais s'engage à verser entre les mains du Ministre de Sa Majesté l'Empereur des Français à Yeddo, trois mois après le retour de leurs Excellences les Ambassadeurs du Taicoun au Japon, une indemnité de 140,000 piastres Mexicaines, dont 100,000 piastres seront payées par le Gouvernement lui-même, et 40,000 piastres par l'Autorité de la Province de Nagato.

II. Le Gouvernement Japonais s'engage également à faire cesser, dans les 3 mois qui suivront le retour de leurs Excellences les Ambassadeurs du Taicoun au Japon, les empêchements que rencontrent en ce moment les navires Français qui veulent passer le Détroit de Simonosaki, et à maintenir ce passage libre en tout temps, en recourant, si cela est nécessaire, à l'emploi de la force, et, au besoin, en agissant de concert avec le Commandant de la division Navale Française.

III. Il est convenu entre les deux Gouvernements, que, pour favoriser le développement régulier des échanges commerciaux entre la France et le Japon, les réductions de tarifs accordées en dernier lieu par le Gouvernement de Sa Majesté le Taicoun au commerce étranger seront maintenues en faveur des articles importés par



The Representatives of Great Britain, the United States of America, and the Netherlands, state that in answer to the demand addressed by them respectively to the Ministers of Foreign Affairs at Yeddo, their Excellencies have declared officially, that it was impossible for the Tycoon's Government to give execution to the Article of the Convention relating to the opening of the Straits of Shimonasaki. His Excellency the Minister Plenipotentiary of France states, for the information of his colleagues, that notwithstanding his efforts to obtain from the Gorogio the ratification of the Convention of Paris,\* the Ministers of the Tycoon, while testifying their respect for the Government of His Imperial Majesty the Emperor, have declared the Tycoon to be quite unable, and therefore categorically refuse to ratify the Article of the Convention relative to his co-operation with France for the opening of the Straits of Shimonasaki.

Under these circumstances, putting aside any question relative to the consequences which the refusal of the Tycoon to ratify the Convention may have—questions in the competence of the Government of France alone to discuss—and considering that the said Convention, which had suspended the combined operations contemplated in their memorandum signed on the 22nd of July,† and the note of the 15th August last,‡ has not been ratified, and that it is consequently without effect :

des commerçants Français, ou sous pavillon Français, pendant toute la durée du Traité conclu à Yeddo entre les deux pays le 9 Octobre, 1858.§

En conséquence, tant que ce Traité demeurera en vigueur, la douane Japonaise admettra en franchise les articles suivants destinés à la préparation et à l'emballage des thés—plomb en feuilles, soudures de plomb, nattes, rotins, huiles pour peinture, indigo, gypse, bassines et paniers. Elle percevra seulement un droit de 5 pour cent de la valeur à l'entrée des vins et spiritueux, sucre blanc, fer et fer-blanc, machines et pièces détachées de machines, tissus de lin, horlogerie, montres et chaînes de montres, verreries, médicaments ; et un droit de 6 pour cent sur les glaces et miroirs, porcelaines, bijouterie, parfumerie, savons, armes, coutellerie, livres, papiers, gravures et dessins.

IV. Cet arrangement sera considéré comme faisant partie intégrante du Traité du 9 Octobre, 1858, entre la France et le Japon, et il sera immédiatement mis à exécution, sans qu'il soit nécessaire de le soumettre à la ratification des Souverains respectifs.

En outre de l'arrangement ci-dessus, les Ambassadeurs Japonais, chargés par le Taicoun d'offrir au Gouvernement de l'Empereur une réparation pour l'attentat dont un officier Français, le Lieutenant Camus, a été victime au Japon, se sont engagés à verser à titre d'indemnité, pour être remise à la famille de cet officier, une somme de 35,000 dollars, ou 192,500 francs.

Ce versement a été immédiatement effectué.

Les Envoyés du Taicoun ont déclaré en même temps que leur Gouvernement prendrait toutes les mesures nécessaires pour rechercher et punir les meurtriers du Lieutenant Camus.

\* June 20, 1864.

† See Addenda.

‡ See Page 593.

§ See State Papers. Vol. L. Page 400.

Considering, further, that the Government of the Tycoon declares its inability, by its own efforts, to open the Straits of Shimonasaki, the Undersigned agree unanimously :—

1. To make known to the Commanding Officers of the respective naval forces at Yokohama the actual state of affairs, and to request they will consider as no longer in force the official communication made to them on the 20th instant, on the part of the Undersigned, calling upon them to suspend operations, but that they will on the contrary, make the necessary arrangements to give effect, with as little delay as possible, to the programme of measures specified in the Memorandum of the 22nd of July last.

2. To request the said naval officers in command further to take into consideration the means of seizing some important position in or commanding the Straits of Shimonasaki, or otherwise in the vicinity, as they may judge most expedient or practicable, and of holding such position as a guarantee until the Undersigned Representatives may obtain, in connection with the Government of the Tycoon, an indemnity from the Prince of Nagato to cover the expenses occasioned to their respective Governments by the expedition now to be dispatched against his batteries; and until possession can be given to the Tycoon, or authorities deputed by him, of the whole line of territory coasting the straits now appertaining to the said Prince of Nagato.

The Undersigned, moreover, deem it their duty to call the attention of the respective Senior Naval Officers to the possibility, as a result of their operations, of obtaining an open port for trade in or near the Straits of Shimonasaki; and to invite them, with this object in view, to furnish the Undersigned with such information as to the relative advantages, in a maritime point of view, of the town of Shimonasaki and other adjoining places as their opportunity of studying, on the spot, the capabilities of different ports may enable them to supply.

It is distinctly understood that the indemnities of which there is question herein are solely those resulting from the action, in common, of the Powers represented by the Undersigned, and that those do not in any way affect or prejudice the right of each Power ulteriorly to prosecute any claims it may see fit to make for separate grievances not arising out of such common action. The necessity of clearly defining, and keeping distinct the present action, in common, of the 4 Powers with combined forces, and any separate action which may subsequently be entered upon by one of their number, is distinctly recognized by the Undersigned.

Signed, this 25th day of August, 1864, at Yokohama.

(L.S.) RUTHERFORD ALCOCK, *Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.*

LEON ROCHES, *Ministre Plénipotentiaire de Sa Majesté Impériale au Japon.*

ROBT. H. PRUYN, *Minister Resident of the United States in Japan.*

D. DE GRAEFF VAN POLSBROEK, *Consul-Général et Agent Politique de Sa Majesté le Roi des Pays Bas au Japon.*

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CONVENTION *between Great Britain, France, the United States, the Netherlands, and the Tycoon of Japan, relative to the Indemnity to be paid by Japan on account of the destruction of Foreign Vessels and the stoppage of Trade by the Prince of Nagato, in the Straits of Shimonasaki.—Signed at Yokohama, October 22, 1864.*

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THE Representatives of Great Britain, France, the United States, and the Netherlands, in view of the hostile acts of Mori Daizen, Prince of Nagato and Suwo, which were assuming such formidable proportions as to make it difficult for the Tycoon faithfully to observe the Treaties, having been obliged to send their combined forces to the Straits of Shimonasaki, in order to destroy the batteries erected by that Daimio for the destruction of foreign vessels and the stoppage of trade; and the Government of the Tycoon, on whom devolved the duty of chastising this rebellious Prince, being held responsible for any damage resulting to the interests of Treaty Powers, as well as the expenses occasioned by the expedition;

The Undersigned Representatives of Treaty Powers, and Sakai Hida no Kami, a member of the Second Council, invested with Plenipotentiary powers by the Tycoon of Japan, animated with the desire to put an end to all reclamations concerning the acts of aggression and hostility committed by the said Mori Daizen, since the first of these acts, in June 1863, against the flags of divers Treaty Powers, and at the same time to regulate definitively the question of indemnities of war, of whatever kind, in respect to the allied expedition to Shimonasaki, have agreed and determined upon the 4 Articles following:

ART. I. The amount payable to the 4 Powers is fixed at

3,000,000 dollars. This sum to include all claims, of whatever nature, for past aggressions on the part of the Prince of Nagato, whether indemnities, ransom for Shimonasaki, or expenses entailed by the operations of the allied squadrons.

II. The whole sum to be payable quarterly in instalments of one-sixth, or 500,000 dollars, to begin from the date when the Representatives of said Powers shall make known to the Tycoon's Government the ratification of this Convention and the instructions of their respective Governments.

III. Inasmuch as the receipt of money has never been the object of the said Powers, but the establishment of better relations with Japan, and the desire to place these on a more satisfactory and mutually advantageous footing is still the leading object in view, therefore, if His Majesty the Tycoon wishes to offer in lieu of payment of the sum claimed, and as a material compensation for loss and injury sustained, the opening of Shimonasaki or some other eligible port in the Inland Sea, it shall be at the option of the said foreign Governments to accept the same, or insist on the payment of the indemnity in money under the conditions above stipulated.

IV. This Convention to be formally ratified by the Tycoon's Government within 15 days from the date thereof.

In token of which the respective Plenipotentiaries have signed and sealed this Convention in quintuplicate, with English and Japanese versions, whereof the English shall be considered the original.

Done at Yokohama this 22nd day of October, 1864, corresponding to the 22nd day of the 9th month of the 1st year of Gengi.

The Japanese character for :

(L.S.) SAKAI HIDA NO KAMI.

RUTERFORD ALCOCK, *Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.*

LEON ROCHES, *Ministre Plénipotentiaire de Sa Majesté l'Empereur des Français au Japon.*

ROBT. H. PRUYN, *Minister Resident of the United States in Japan.*

D. DE GRAEFF VAN POLSBROEK, *His Netherlands Majesty's Consul-General and Political Agent in Japan.*

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*Memorandum.*

THE Undersigned, having on behalf of their respective Governments entered into a Convention with the Government



of his Majesty the Tycoon, providing for the payment by him of a gross sum of 3,000,000 dollars for indemnities and expenses occasioned by the hostile acts of the Prince of Nagato, declare that they assumed as the basis of such Convention that entered into at Paris with the Commissioners of the Tycoon (not ratified by the Tycoon because of other provisions) in and by which the payment of 140,000 dollars was to be made to the Government of His Imperial Majesty the Emperor of the French for the attack on the "Kien-chang."\* As such sum or a larger one may be justly claimed, and as the Governments of The United States and the Netherlands are justly entitled to like indemnities for more serious attacks on national and merchant ships of those countries by the same Prince, it is reserved for those Governments to decide if any and what indemnities from the said gross amount so to be paid by the Japanese Government shall be paid therefor.

In view of the possible acceptance by the said Governments of a port in the Inland Sea in lieu thereof, which will render any division unnecessary, the Undersigned reserve the same for adjustment by their Governments; and to provide an equitable basis, have hereto annexed memoranda of the Naval Commanders, showing the number of ships furnished by each for the expedition and assigned for the defence of the several ports, with their armaments and crews; and also of the Military Commanders, showing the number of troops collected for the same purposes.

Yokohama, October 22, 1864.

(L.S.) RUTHERFORD ALCOCK, *Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.*

LEON ROCHES, *Ministre Plénipotentiaire de Sa Majesté l'Empereur au Japon.*

ROBT. H. PRUYN, *Minister Resident of the United States in Japan.*

D. DE GRAEFF VON POLSBROEK, *His Netherlands Majesty's Consul-General and Political Agent in Japan.*

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JAPANESE RATIFICATION.—*The Japanese Ministers for Foreign Affairs to Sir R. Alcock.*

(Translation.)

4th November, 1864.

WE beg to communicate to you as follows:

In respect to the Convention entered into by our Vice-Minister, Sakai Hida no Kami, on the 22nd ultimo, with you at

\* See Page 504.

Kanagawa, we have to inform you that our Government has undertaken to give effect to the same, in token of which we send this despatch.

In order to inform you of the above we send you this communication.

With respect and consideration.

3rd day, 10th month, 1st year of Genchi (4th November, 1864).

(L.S.) MIDZUNO IDZUMI NO KAMI.

ABE BOUNGO NO KAMI.

CONVENTION *between Great Britain, France, the United States, the Netherlands, and Japan, modifying the Tariff of Import and Export Duties in the Trade Regulations of Japan. Signed in the English, French, Dutch, and Japanese Languages, at Yeddo, June 25, 1866.*

THE Representatives of Great Britain, France, the United States of America, and Holland, having received from their respective Governments identical instructions for the modification of the Tariff of Import and Export Duties contained in the Trade Regulations annexed to the Treaties concluded by the aforesaid Powers with the Japanese Government in 1858,\* which modification is provided for by the 7th of those Regulations ;

And the Japanese Government having given the said Representatives, during their visit to Osaka, in November, 1865, a written engagement to proceed immediately to the revision of the Tariff in question, on the general basis of a duty of 5 per cent. on the value of all articles imported or exported ;

And the Government of Japan being desirous of affording a fresh proof of their wish to promote trade and to cement the friendly relations which exist between their country and foreign nations ;

His Excellency Midzuno Idzumi no Kami, a member of the Gorogio and a Minister of Foreign Affairs, has been furnished by the Government of Japan with the necessary powers to conclude with the Representatives of the above-named 4 Powers, that is to say :

Of Great Britain, Sir Harry S. Parkes, Knight Commander of the Most Honourable Order of the Bath, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan ;

Of France, M. Leon Roches, Commander of the Imperial Order of the Legion of Honour, Minister Plenipotentiary of His Majesty the Emperor of the French in Japan ;

Of the United States of America, A. L. C. Portman, Esq., *Chargé d'Affaires ad interim* ;

\* See Vol. 11. Page 401.

And of Holland, M. Dirk de Graeff van Polsbroek, Knight of the Order of the Netherlands Lion, Political Agent and Consul-General of His Majesty the King of the Netherlands;

The following Convention comprising 12 Articles.

ART. I. The Contracting Parties declare, in the names of their respective Governments, that they accept, and they hereby do formally accept as binding upon the subjects of their respective Sovereigns, and the citizens of their respective countries, the Tariff hereby established and annexed to the present Convention.

This Tariff is substituted, not only for the original Tariff attached to the Treaties concluded with the above-named 4 Powers, but also for the special Conventions and Arrangements relative to the same Tariff which have been entered into at different dates up to this time between the Governments of Great Britain, France, and the United States, on one side, and the Japanese Government on the other.

The new Tariff shall come into effect in the port of Kanagawa (Yokohama) on the 1st day of July next, and in the ports of Nagasaki and Hakodate on the first day of the following month.

II. The Tariff attached to this Convention being incorporated from the date of its signature in the Treaties concluded between Japan and the above-named 4 Powers, is subject to revision on the 1st day of July, 1872.

Two years, however, after the signing of the present Convention, any of the Contracting Parties, on giving 6 months' notice to the others, may claim a readjustment of the duties on tea and silk on the basis of 5 per cent. on the average value of these articles, during the 3 years last preceding. On the demand, also, of any of the Contracting Parties, the duty on timber may be changed from an *ad valorem* to a specific rate 6 months after the signature of this Convention.

III. The permit fee hitherto levied under the 6th Regulation attached to the above-named Treaties is hereby abolished. Permits for the landing or shipment of cargo will be required as formerly, but will hereafter be issued free of charge.

IV. On and from the 1st day of July next at the port of Kanagawa (Yokohama), and on and from the 1st day of October next at the ports of Nagasaki and Hakodate, the Japanese Government will be prepared to warehouse imported goods on the application of the importer or owner, without payment of duty. The Japanese Government will be responsible for the safe custody of the goods, so long as they remain in their charge, and will adopt all the precautions necessary to render them insurable against fire. When the importer or the owner wishes to remove the goods from the warehouse, he must pay the duties fixed by the Tariff, but if he

should wish to re-export them, he may do so without payment of duty. Storage charges will in either case be paid on delivery of the goods. The amount of these charges, together with the regulations necessary for the management of the said warehouses, will be established by the common consent of the Contracting Parties.

V. All articles of Japanese production may be conveyed from any place in Japan to any of the ports open to foreign trade, free of any tax or transit duty other than the usual tolls levied equally on all traffic for the maintenance of roads or navigation.

VI. In conformity with those Articles of the Treaties concluded between Japan and foreign Powers which stipulate for the circulation of foreign coin at its corresponding weight in native coin of the same description, dollars have hitherto been received at the Japanese Custom House in payment of duties at their weight in boos (commonly called ichiboos), that is to say, at a rate of 311 boos per 100 dollars. The Japanese Government being, however, desirous to alter this practice, and to abstain from all interference in the exchange of native for foreign coin, and being also anxious to meet the wants both of native and foreign commerce by securing an adequate issue of native coin, have already determined to enlarge the Japanese Mint, so as to admit of the Japanese Government exchanging into native coin of the same intrinsic value, less only the cost of coinage, at the places named for this purpose, all foreign coin or bullion in gold or silver that may at any time be tendered to them by foreigners or Japanese. It being essential, however, to the execution of this measure that the various Powers with whom Japan has concluded Treaties should first consent to modify the stipulations in those Treaties which relate to the currency, the Japanese Government will at once propose to those Powers the adoption of the necessary modification in the said stipulations, and on receiving their concurrence will be prepared, from the 1st of January, 1868, to carry the above measure into effect.

The rates to be charged as the cost of coinage shall be determined hereafter by the common consent of the Contracting Parties.

VII. In order to put a stop to certain abuses and inconveniences complained of at the open ports, relative to the transaction of business at the Custom-House, the landing and shipping of cargoes and the hiring of boats, coolies, servants, &c., the Contracting Parties have agreed that the Governor at each open port shall at once enter into negotiations with the foreign Consuls with a view to the establishment, by mutual consent, of such Regulations as shall effectually put an end to these abuses and inconveniences, and afford all possible facility and



security both to the operations of trade and to the transactions of individuals.

It is hereby stipulated, that in order to protect merchandize from exposure to weather, these Regulations shall include the covering in at each port of one or more of the landing-places used by foreigners for landing or shipping cargo.

VIII. Any Japanese subjects shall be free to purchase, either in the open ports of Japan or abroad, every description of sailing or steam-vessel intended to carry either passengers or cargo; but ships of war may only be obtained under the authorization of the Japanese Government.

All foreign vessels purchased by Japanese subjects shall be registered as Japanese vessels on payment of a fixed duty of 3 boos per ton for steamers, and 1 boo per ton for sailing vessels. The tonnage of each vessel shall be proved by the foreign register of the ship, which shall be exhibited through the Consul of the party interested on the demand of the Japanese authorities, and shall be certified by the Consul as authentic.

IX. In conformity with the Treaties concluded between Japan and the aforesaid Powers, and with the special arrangements made by the Envoys of the Japanese Government in their note to the British Government of the 6th of June, 1862, and in their note to the French Government of the 6th of October of the same year, all the restrictions on trade and intercourse between foreigners and Japanese alluded to in the said notes have been entirely removed, and proclamations to this effect have already been published by the Government of Japan.

The latter, however, do not hesitate to declare that Japanese merchants and traders of all classes are at liberty to trade directly, and without the interference of Government officers, with foreign merchants, not only at the open ports of Japan, but also in all foreign countries on being authorized to leave their country in the manner provided for in Article X of the present Convention, without being subject to higher taxation by the Japanese Government than that levied on the native trading classes of Japan in their ordinary transactions with each other.

And they further declare that all Daimios or persons in the employ of Daimios are free to visit, on the same condition, any foreign country, as well as all the open ports of Japan, and to trade there with foreigners as they please, without the interference of any Japanese officer, provided always they submit to the existing police regulations, and to the payment of the established duties.

X. All Japanese subjects may ship goods to or from any open port in Japan, or to and from the ports of any foreign Power either in vessels owned by Japanese, or in the vessels of

any nation having a Treaty with Japan. Furthermore, on being provided with passports through the proper Department of the Government, in the manner specified in the Proclamation of the Japanese Government, dated the 23rd day of May, 1866, all Japanese subjects may travel to any foreign country for purposes of study or trade. They may also accept employment in any capacity on board the vessels of any nation having a Treaty with Japan.

Japanese in the employ of foreigners may obtain Government passports to go abroad on application to the Governor of any open port.

XI. The Government of Japan will provide all the ports open to foreign trade with such lights, buoys, or beacons, as may be necessary to render secure the navigation of the approaches to the said ports.

XII. The Undersigned being of opinion that it is unnecessary that this Convention should be submitted to their respective Governments, for ratification, before it comes into operation, it will take effect on and from the 1st day of July, 1866.

Each of the Contracting Parties having obtained the approval of his Government to this Convention\* shall make known the same to the others, and the communication in writing of this approval shall take the place of a formal exchange of ratifications.

In witness whereof the above-named Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done at Yeddo, in the English, French, Dutch, and Japanese languages, this 25th day of June, 1866.

(L.S.) HARRY S. PARKES, *Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.*

(L.S.) LEON ROCHES, *Ministre Plénipotentiaire de Sa Majesté l'Empereur des Français au Japon.*

(L.S.) A. L. C. PORTMAN, *Chargé d'Affaires ad interim of the United States in Japan.*

(L.S.) D. DE GRAEFF VON POLSBROEK, *Politiek Agent en Consul-Generaal der Nederlanden in Japan.*

(L.S.) MIDZUNO IDZUMI NO KAMI.

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\* Approved by the British Government, August 31, 1866.

## IMPORT TARIFF.

CLASS I.—*Specific Duties.*

No.	Articles.	Duty.	
		Boos	cts.
1	Alum .. .. .	100 catties ..	0 15
2	Betel nut .. .. .	" ..	0 45
3	Brass buttons .. .. .	Gross ..	0 22
4	Candles .. .. .	100 catties ..	2 25
5	Canvas and cotton duck .. .. .	10 yards ..	0 25
6	Cigars .. .. .	Catty ..	0 25
7	Cloves and mother cloves .. .. .	100 catties ..	1 0
8	Cochineal .. .. .	" ..	21 0
9	Cordage .. .. .	" ..	1 25
10	Cotton, raw .. .. .	" ..	1 25
<i>Cotton Manufactures.</i>			
11	Shirtings, grey, white, and twilled, white spotted or figured; drills and jeans; white brocades; T-cloths; cambrics; muslins; lawns; dimities; quiltings; cottonets. All the above goods dyed, printed cottons, chintzes, and furnitures:—		
	A. Not exceeding 34 inches wide .. ..	10 yards ..	0 7½
	B. Not exceeding 40 inches wide .. ..	" ..	0 8½
	C. Not exceeding 46 inches wide .. ..	" ..	0 10
	D. Exceeding 46 inches wide .. ..	" ..	0 11½
12	Taffachelas, not exceeding 31 inches .. ..	" ..	0 17½
	Ditto, exceeding 31 inches, and not exceeding 43 inches .. ..	" ..	0 25
13	Fustians, as cotton velvets, velveteens, satins, sattinets, and cotton damask, not exceeding 40 inches .. ..	" ..	0 20
14	Ginghams, not exceeding 31 inches .. ..	" ..	0 6
	Ditto, not exceeding 43 inches .. ..	" ..	0 9
15	Handkerchiefs .. .. .	Dozen ..	0 5
16	Singlets and drawers .. .. .	" ..	0 30
17	Table cloths .. .. .	Each ..	0 6
18	Cotton thread, plain or dyed, in reel or ball ..	100 catties ..	7 50
19	Cotton yarn, plain or dyed .. ..	" ..	5 0
20	Cutch .. .. .	" ..	0 75
21	Feathers (kingfisher, peacock, &c.) .. ..	100 ..	1 50
22	Flints .. .. .	100 catties ..	0 12
23	Gambier .. .. .	" ..	0 45
24	Gamboge .. .. .	" ..	3 75
25	Glass, window .. .. .	{ Box of } 100 sq. ft. }	0 35
26	Glue .. .. .	100 catties ..	0 60
27	Gum Benjamin and oil of ditto .. ..	" ..	2 40
28	Ditto, dragon's blood, myrrh, olibanum .. ..	" ..	1 80
29	Gypsum .. .. .	" ..	0 8
30	Hides, buffalo and cow .. .. .	" ..	1 20
31	Horns, buffalo and deer .. .. .	" ..	1 5
32	Ditto, rhinoceros .. .. .	" ..	3 50
33	Hoofs .. .. .	" ..	0 30
34	Indigo, liquid .. .. .	" ..	0 75
35	Ditto, dry .. .. .	" ..	3 75
36	Ivory, elephants' teeth, all qualities .. ..	" ..	15 0

No.	Articles.	Duty.	
			Boes cta.
37	Paint, as red, white, and yellow lead (minium, ceruse and massicot), and paint oils .. ..	100 catties ..	1 50
38	Leather .. ..	" ..	2 0
39	Linen, all qualities .. ..	10 yards ..	0 20
40	Mangrove bark .. ..	100 catties ..	0 15
41	Matting, floor .. ..	Roll of 40 yards ..	0 75
<i>Metals.</i>			
42	Copper and brass, in slabs, sheets, rods, nails ..	100 catties ..	3 50
43	Yellow metal, Muntz metal, sheathing and nails ..	" ..	2 50
44	Iron, manufactured, as in rods, bars, nails, &c. ..	" ..	0 30
45	" " pigs .. ..	" ..	0 15
46	" " kentledge .. ..	" ..	0 6
47	" " wire .. ..	" ..	0 80
48	Lead, pigs .. ..	" ..	0 80
49	" sheet .. ..	" ..	1 0
50	Spelter and zinc .. ..	" ..	0 60
51	Steel .. ..	" ..	0 60
52	Tin .. ..	" ..	3 0
53	Tin plates .. ..	{ Box of not exceeding 90 catties. }	0 70
54	Oil cloth, for flooring .. ..	10 yards ..	0 30
55	" or leather cloth for furniture .. ..	" ..	0 15
56	Pepper, black and white .. ..	100 catties ..	1 0
57	Putehuk .. ..	" ..	2 25
58	Quicksilver .. ..	" ..	6 0
59	Quinine .. ..	Catty ..	1 50
60	Rattaus .. ..	100 catties ..	0 45
61	Rhubarb .. ..	" ..	1 0
62	Salt fish .. ..	" ..	0 75
63	Sandal wood .. ..	" ..	1 25
64	Sapan wood .. ..	" ..	0 40
65	Sea-horse teeth .. ..	" ..	7 50
66	Narwhal or unicorn teeth .. ..	Catty ..	1 0
67	Sharks' skins .. ..	100 pieces ..	7 50
68	Snuff .. ..	Catty ..	0 30
69	Soap, bar .. ..	100 catties ..	0 50
70	Stick lac .. ..	" ..	1 75
71	Sugar, brown and black .. ..	" ..	0 40
72	" white .. ..	" ..	0 75
73	" candy and loaf .. ..	" ..	1 0
74	Tobacco .. ..	" ..	1 80
75	Vermilion .. ..	" ..	0 0
<i>Woollen Manufactures.</i>			
76	Broad, habit, medium, and narrow cloth, not exceeding 34 inches. .. ..	10 yards ..	0 60
	Ditto, not exceeding 55 inches .. ..	" ..	1 0
	Ditto, exceeding 55 inches. .. ..	" ..	1 25
77	Spanish stripes .. ..	" ..	0 75
78	Cassimeres, flannel, long ells, and serges .. ..	" ..	0 45
79	Bunting .. ..	" ..	0 15
80	Camlets, Dutch .. ..	" ..	0 75
	" English .. ..	" ..	0 40



No.	Articles.	Duty.	
			Boos cts.
82	Lastings, crape lastings, and worsted crapes, merinos, and all other woollen goods not classed under No. 76 :—		
	A. Not exceeding 34 inches .. .. .	10 yards ..	0 30
	B. Exceeding 34 inches .. .. .	" ..	0 45
83	Woollen and cotton mixtures, as imitation cam-lets, imitation lastings, orleans (plain and figured), lustres (plain and figured), alpacas, baratheas, damasks, Italian cloth, taffachelass, Russell cords, cassandras, woollen fancies, camlet cords, and all other cotton and woollen mixtures :—		
	A. Not exceeding 34 inches .. .. .	" ..	0 30
	B. Exceeding 34 inches .. .. .	" ..	0 45
84	Blankets and horse cloths .. .. .	10 catties ..	0 50
85	Travelling rugs, plaids and shawls .. .. .	Each ..	0 50
86	Figured woollen table-cloths .. .. .	" ..	0 75
87	Woollen singlets and drawers .. .. .	Dozen ..	1 0
88	Woollen and cotton singlets and drawers.. ..	" ..	0 60
89	Woollen yarn, plain and dyed .. .. .	100 catties ..	10 0

CLASS II.—*Duty-Free Goods.*

All animals used for food or draught.	Packing matting.
Anchors and chain cables.	Printed books.
Coal.	Salt.
Clothing, not being articles named in this Tariff.	Salted meats in casks.
Gold and silver, coined and uncoined.	Saltpetre.
Grain, including rice, paddy, wheat, barley, oats, rye, peas, beans, millet, Indian corn.	Solder.
Flour and meal prepared from above.	Tar and pitch.
Oil cake.	Tea-firing pans and baskets.
	Tea lead.
	Travelling baggage.

CLASS III.—*Prohibited Goods.*

Opium.

CLASS IV.—*Goods subject to an ad valorem Duty of 5 per cent. on original value.*

Arms and munitions of war.	Jewellery.
Articles de Paris.	Machinery and manufactures in iron or steel; manufactures of all kinds in silk, silk and cotton, or silk and wool, as velvets, damasks, brocades, &c.
Boots and shoes.	Paintings and engravings.
Clocks, watches, and musical boxes.	Perfumery, scented soap.
Coral.	Plated ware.
Cutlery.	Skins and furs
Drugs and medicines, such as ginseng, &c.	Telescopes and scientific instruments.
Dyes.	Timber.
European porcelain and earthenware.	Wines, malt and spirituous liquors, table stores of all kinds.
Furniture of all kinds, new and second-hand.	
Glass and crystal ware.	
Gold and silver lace and thread.	
Gums and spices not named in Tariff.	
Lamps.	
Looking-glasses.	

*And all other unenumerated Goods.*

*Note.*—According to the VIIIth Article of the Convention of Yeddo, a duty will be charged on the sale of foreign vessels to Japanese of 3 boos per ton for steamers, and 1 boo per ton for sailing vessels.

EXPORT TARIFF.  
CLASS I.—*Specific Duties.*

No.	Article.	Duty.		
			Boos	cts.
1	Awabi .. .. .	100 catties ..	3	0
2	„ shells.. .. .	„ ..	0	8
3	Camphor .. .. .	„ ..	1	80
4	China root ("bukrio") .. .. .	„ ..	0	75
5	Cassia .. .. .	„ ..	0	30
6	„ buds .. .. .	„ ..	2	25
7	Coal .. .. .	„ ..	0	4
8	Cotton, raw .. .. .	„ ..	2	25
9	Coir.. .. .	„ ..	0	45
10	Fish, dried or salted salmon and cod .. .. .	„ ..	0	75
11	„ cuttle .. .. .	„ ..	1	5
12	Gall nuts .. .. .	„ ..	0	90
13	Chinang or ichio .. .. .	„ ..	0	45
14	Hemp .. .. .	„ ..	2	0
15	Honey .. .. .	„ ..	1	5
16	Horns, deers', old .. .. .	„ ..	0	90
17	Iricho or bêche de mer .. .. .	„ ..	3	0
18	Iron, Japanese .. .. .	„ ..	0	60
19	Isinglass .. .. .	„ ..	2	25
20	Lead .. .. .	„ ..	0	90
21	Mushrooms, all qualities .. .. .	„ ..	5	0
22	Oil, fish .. .. .	„ ..	0	30
23	„ seed .. .. .	„ ..	1	5
24	Paper, writing .. .. .	„ ..	3	0
25	„ inferior .. .. .	„ ..	1	0
26	Peas, beans, and pulse of all kinds .. .. .	„ ..	0	30
27	Peony bark ("botanpi") .. .. .	„ ..	3	75
28	Potatoes .. .. .	„ ..	0	15
29	Rags .. .. .	„ ..	0	12
30	Sake or Japanese wines and spirits .. .. .	„ ..	0	90
31	Seaweed, uncut .. .. .	„ ..	0	30
32	„ cut.. .. .	„ ..	0	60
33	Seeds, rape .. .. .	„ ..	0	45
34	„ sesamum .. .. .	„ ..	0	90
35	Sharks' fins.. .. .	„ ..	1	80
36	Shrimps and prawns, dried, salt .. .. .	„ ..	1	80
	Silk—			
37	Raw and thrown .. .. .	„ ..	75	0
38	Tama or dupioni .. .. .	„ ..	20	0
39	Noshi or skin silk .. .. .	„ ..	7	50
40	Floss silk .. .. .	„ ..	20	0
41	Cocoons, pierced .. .. .	„ ..	7	0
42	„ unpierced .. .. .	„ ..	12	0
43	Waste silk and waste cocoons .. .. .	„ ..	2	25
44	Silkworms' eggs .. .. .	Sheet ..	0	7½
45	Soy .. .. .	100 catties ..	0	45
46	Sulphur .. .. .	„ ..	0	30
47	Tea .. .. .	„ ..	3	50
48	„ quality known as "ban cha" (when exported from Nagasaki only) .. .. .	„ ..	0	75
49	Tobacco, leaf .. .. .	„ ..	0	75
50	„ cut or prepared .. .. .	„ ..	1	50
51	Vermicelli .. .. .	„ ..	0	45
52	Wax, vegetable .. .. .	„ ..	1	50
53	„ bees' .. .. .	„ ..	2	50

CLASS II.—*Duty-Free Goods.*

Gold and silver, coined : gold, silver, and copper, uncoined, of Japanese production, to be sold only by the Japanese Government at public auction.

CLASS III.—*Prohibited Goods.*

Rice, paddy, wheat, and barley. | Flour made from the above. | Saltpetre.

CLASS IV.—*Goods subject to an ad valorem Duty of 5 per cent. to be calculated on their Market Value.*

Bamboo ware.	Mats or matting.   Silk dresses, manufactures, or embroidery.   Timber.   And all other enumerated goods.
Copper utensils of all kinds.	
Charcoal.	
Ginseng, and enumerated drugs.	
Horns, deer, young or soft.	

## RULES.

*Rule 1.*—Unenumerated Imports if mentioned in the Export List shall not pay duty under that list, but shall be passed *ad valorem* ; and the same rule shall apply to any unenumerated exports that may be named in the Import List.

*Rule 2.*—Foreigners resident in Japan, and the crews or passengers of foreign ships, shall be allowed to purchase such supplies of the grain or flour named in the list of exports as they may require for their own consumption ; but the usual shipping permit must be obtained from the Custom-house before any of the aforesaid grain or flour can be shipped to a foreign vessel.

*Rule 3.*—The catty mentioned in this Tariff is equal to 1½ lb. English avoirdupois weight ; the yard is the English measure of 3 feet, the English foot being one-eighth of an inch larger than the Japanese kaneshaku ; the boo is a silver coin weighing not less than 134 grains troy weight, and containing not less than nine parts of pure silver and not more than one part of alloy ; the cent is the one-hundredth part of the boo.

(L.S.) HARRY S. PARKES, *Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.*

(L.S.) LEON ROCHES, *Ministre Plénipotentiaire de Sa Majesté l'Empereur des Français au Japon.*

(L.S.) A. L. C. PORTMAN, *Chargé d'Affaires ad interim of the United States in Japan.*

(L.S.) D. DE GRAEFF VAN POLSBROEK, *Politiek Agent en Consul-General der Nederlanden in Japan.*

(L.S.) MIDZUNO IDZUMI NO KAMI.

REGULATIONS for Bonded Warehouses,\* and Tariff of Storage Charges, drawn up by the Representatives of Great Britain, France, United States, and Netherlands, in Japan, in accordance with Article VI of the preceding Convention.

ART. I. The manifest of the ship having been lodged at the Custom-House, as provided in the Regulations of Trade, consignees of cargo wishing to store goods in the bonded ware-

\* British Notification. Yokohama, June 29, 1866.

houses of the Japanese Government must deliver at the Custom-House, in duplicate, an application for storage called a warehousing entry, describing the marks, numbers and contents of all packages for which storage is required, in the form annexed marked A.

II. If no valid objection exists, the Custom-House authorities will at once authorize storage to be provided in the bonded warehouses for the goods named in the warehousing entry, and the goods can then be warehoused at the convenience of the consignee; but no goods can be received into the bonded warehouses unless a warehousing entry for the same shall have been passed by the Custom-House.

III. On the completion of the delivery at the bonded warehouses of the merchandize for which a warehousing entry has been passed, a receipt for such goods, called a warrant, will be issued as soon as possible to the consignee or owner of the goods. This document will be sealed both by the Japanese Superintendent of the Bonded Warehouses and by the Japanese Customs.

IV. No delivery can take place without the production of this warrant and an order duly signed by the consignee or owner of the goods, and made out in the form annexed, marked C. If the order be for the entire quantity for which the warrant has been granted, the latter will be cancelled by the Japanese Customs; if for part only, such portion will be written off from the Warrant, and the warrant will be returned to the holder.

V. The duties and storage charges due upon the goods must be paid before delivery can be authorized by the Custom-House. Every application for delivery must be made to the Customs authorities, in duplicate, in the form annexed, marked D, and on being passed by the Customs the applicant must take immediate delivery of the goods therein named.

VI. The warrants given for the goods deposited in the bonded warehouses may be made out in one or as many documents as the owner of the goods may require. The warrants shall be printed, and will be issued by the Japanese Customs at a charge of 1 boo for each warrant.

VII. Goods of a lower value than 500 dollars will not be received into the bonded warehouses.

VIII. At the time of delivering the goods, a slip containing particulars of the storage charges due on each specific delivery will be made up at the bonded warehouse, and handed to the owner or consignee.

IX. As soon as the goods are landed they will be in charge of the Japanese Customs authorities, who will be responsible for their safe custody and due delivery, risks from fire and convulsion of the elements alone excepted.



X. Damaged goods must be stored without detriment to other goods, and on such conditions as the Customs authorities may find it necessary to impose upon the owner.

XI. Consignees or owners of goods stored in bonded warehouses will be required to sign their names in a book kept for that purpose, to allow the Superintendent to compare the signatures with orders for delivery or endorsement on warrants, as a check upon fraud. All orders for delivery should bear the same signature as the warehousing entry, or that of an employé duly authorized to sign for the firm, in whose service he is, in which case written notice of the employé being so authorized must be furnished by the firm to the Superintendent of the bonded warehouses.

XII. On the occurrence of a change of ownership in the goods stored in the bonded warehouses, a formal declaration of the change must be endorsed on the original warrant, which, when thus endorsed, must be exhibited to the Superintendent of the bonded warehouses, who will take note of the transfer. The charges incurred upon the goods up to the period of such change of ownership will be made up and paid, and the original warrant will then be cancelled, and a new one issued to the new owner.

XIII. In the event of the loss of a warrant or warrants, notice must be given to the Superintendent of the bonded warehouses, who will stop the delivery on such document, and after the holder has made every endeavour, by public advertisement or otherwise, to obtain the warrant so lost, a fresh document will be re-issued upon application made by the original owner to that effect, he handing at the same time a written undertaking, holding the Customs authorities harmless should the original document be produced.

XIV. The Custom-House authorities may refuse to allow merchandize to remain in the bonded warehouses for a longer term than one year. If the goods should not be cleared within that period or within such extension of it as the Custom-House authorities may see fit to grant, the latter may authorize the public sale of the goods on giving one month's notice to the holder of the warrant or warrants representing the said goods, or in his absence to his Consul, and also by notification of the same at the Custom-House and bonded warehouse, or in any newspaper published on the spot; all duties and charges due upon the goods, together with the expenses of sale and notification of the same, will be paid out of the proceeds, and the balance, if any, will be reserved for the party or parties to whom the goods belong, subject to a reduction of one per cent. per month as a fee to the Customs for retaining charge of the same.

XV. The bonded warehouses will be open daily from 8 A.M.

to noon, and from 1 P.M. to 4 P.M., excepting on Sundays and such public holidays and festivals as may be publicly announced.

XVI. The storage charges, until further notice, will be those of the annexed scale; the smallest charge will be for half-a-month, and any number of days under 15 will be charged as half-a-month.

XVII. Every facility will be given to owners of goods to inspect and obtain sample packages of the merchandize stored in the bonded warehouses, but no sample can be taken from the bonded warehouse in a smaller quantity than one original package, and duty must be paid upon all sample packages before they can be removed, in the same way as on other goods.

Inspection of goods stored in the bonded warehouses can only be permitted on the production of an order for that purpose signed by the owner or consignee, and accompanied by the warrant or warrants representing the goods requiring inspection.

XVIII. The under-mentioned goods will not be received into the bonded warehouses: all goods free of duty, building materials, gunpowder, saltpetre, chemicals, tar, pitch, seeds, oils, liquid indigo, and such other articles as are of an explosive, inflammable, or otherwise dangerous character.

XIX. If the Japanese authorities suppose that goods in cases or packages differ in their contents from the warehousing entry, they may at any time open and inspect the same, due notice having been given to the owner, so that he may be present at such inspection, and, in the event of any error having been made either in description of goods or number of pieces, the owner must pass a fresh warehouse entry for the same, on which a fee of 10 boos will be levied.

XX. In the event of any article placed in the bonded warehouses becoming putrid or otherwise offensive, notice must be given by the Japanese authorities to the owner, who must pay duty on the same, and take delivery of such forthwith; and if within two days of such notice the same be not taken away, two foreign surveyors will be called in to survey the goods, and the Custom-House authorities will deal with the goods as the surveyors recommend. The expense of such survey will be paid by the owner of such goods.

XXI. These regulations, together with the scale of storage fees, may be revised on the 1st September next, and subsequently from time to time as may be found necessary by the Japanese Government, in communication and concert with the other Contracting Parties to the Convention of 25th June, 1866.

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## FORM A.

*Warehousing Entry.*

To the Authorities of the Japanese Customs.

Please authorize Storage to be provided in the Bonded  
Warehouses of the Japanese Government at \_\_\_\_\_ for the  
under-mentioned merchandize, imported in the \_\_\_\_\_ ship  
\_\_\_\_\_, from \_\_\_\_\_, master,  
entered at the Custom-House on \_\_\_\_\_ 186 , and hold  
the same deliverable only to the order of \_\_\_\_\_

(Signature of Consignee of Merchandize.)

(Nationality of ditto.)

Marka.	Nos.	Packages.	Contents, Description, and Quantity of Merchandize.

## FORM B.

*Bonded Warehouses of Japanese Government,  
June 19, 1866.*

The Japanese Customs hereby declare they have received  
in their Bonded Warehouse A, in good order and condition, the  
under-mentioned merchandize, imported in the British ship  
\_\_\_\_\_, master, from \_\_\_\_\_

entered by \_\_\_\_\_, on the \_\_\_\_\_ 186 , and hold  
themselves liable to deliver the said merchandize in the like  
order and condition, on receipt of all charges incurred thereon.

(Signature of Superintendent.)

{ Seal of }  
{ Customs. }

Warrant for 5 bales Grey Shirtings imported in the  
ship \_\_\_\_\_, master, from \_\_\_\_\_.

Marka.	Nos.	Particulars of Contents, as per Customs Entry.	Delivery.
	1	5 bales shirtings, each bale 40 pieces. . . . .	Delivered, 1st July, 1866.
	2		
	3		
	4		
	5		

## FORM C.

*Delivery Order.*

To the Superintendent of the Bonded Warehouses of the Japanese Customs at

Please deliver to bearer the following merchandize, entered by \_\_\_\_\_ on \_\_\_\_\_ 186\_\_\_\_, and imported in the \_\_\_\_\_ ship \_\_\_\_\_ master, from \_\_\_\_\_, charges to date to debit of our deposit account.


Marks.	Nos.	No. of Packages.	Description.
			(Signature in full of owner or consignee, being holder of the warrant which accompanies this order.)

## FORM D.

*Application to Customs for Delivery.*

To the Customs Authorities.

Please receive Customs duties on the under-mentioned merchandize, imported in the \_\_\_\_\_ ship \_\_\_\_\_ master, from \_\_\_\_\_, entered on \_\_\_\_\_ 186\_\_\_\_, and authorize discharge of the same from the Bonded Warehouse.

Marks.	Nos.	No. or Weight of Packages.	Particulars of Duty.
	1—20	20	Twenty bales, each bale containing fifty pieces grey shirtings, say one thousand pieces grey shirtings, at 10 cents per piece. 1,000 pieces at $\frac{10}{100}$ per piece 100 boos
		20	One hundred boos.  (Signature of consignee or owner.)



*Tariff of Storage Charges.*

Group.			Per Month.
			<b>Boas ct.</b>
1	Alum, gypsum, betel nut, cutch, pepper, man- grove bark, tobacco, putchuck, cordage, gambier .. .. .	per picul ..	0 50
2	Sugar, in bags .. .. .	" ..	0 15
3	Cotton, raw, screwed and pressed .. ..	" ..	1 50
	" " unscrewed .. .. .	" ..	3 0
4	Cloves, gamboge, glue, gums, indigo, rhubarb, vermillion, cochineal .. .. .	" ..	0 50
5	Elephants' teeth, sea-horse teeth, buffalo, deer, rhinoceros horns, leather, rattans, sapan wood, sandal wood, sharks' fins ..	" ..	0 75
	<i>Metals.</i>		
6	Copper, brass rods, nail rods, yellow metal, Muntz metal, sheathing, iron, nail rod, bar, pig, kentledge, wire, lead, tin, tin plates, steel, zinc .. .. .	" ..	0 25
	Quicksilver .. .. .	" ..	0 35
	<i>Manufactures.</i>		
7	Shirtings (grey and white), white spots, &c., all manufactured cottons of 40 yards ..	per piece ..	0 3
	Ditto, over 40 yards .. .. .	" ..	0 4
	Ditto, under 40 yards .. .. .	" ..	0 2
8	Fustians, cotton velvets, satinets, velveteens, cotton damasks .. .. .	" ..	0 10
9	Handkerchiefs, singlets, drawers .. ..	per dozen ..	0 2
10	Table cloths .. .. .	per piece ..	0 3
11	All other cotton goods not enumerated ..	" ..	0 3
	<i>Cotton Yarn.</i>		
12	Cotton yarn, per bale of 3 piculs .. ..	per bale ..	2 0
	<i>Woollens.</i>		
13	Long ells. .. .. .	per piece ..	0 15
	Camlets .. .. .	" ..	0 15
	Lastings and unenumerated woollens. ..	" ..	0 15
14	Broad cloth, ladies' cloth, 55 inches broad ..	" ..	0 25
	" " under 55 inches broad ..	" ..	0 15
	Spanish stripes .. .. .	" ..	0 15
15	Blankets, per bale of 100 pairs .. ..	per bale ..	3 0
	Woollen table cloths, rugs, plaids .. ..	per piece ..	0 5
16	Woollen and cotton mixtures .. .. .	" ..	0 15
17	Woollen yarn .. .. .	per bale ..	2 50
	<i>Measurement.</i>		
18	Brass buttons, candles, cotton duck, canvas, cigars, matting, soap, sticklac, clothing, guns (as rifles, muskets), boots and shoes ..	per cubic foot	0 75

Group.			Per Month.
	<i>Package.</i>		Boon cts.
19	Wine und spirituous liquors, beer, per 1 dozen case quarts .. .. .	.. ..	0 25
	Ditto, ditto, per 2 dozen case quarts .. ..	.. ..	0 35
	Ditto, ditto, per 3 dozen case quarts .. ..	.. ..	0 45
	Ditto, ditto, per 4 dozen case quarts .. ..	.. ..	0 50
	Porter and beer in pints, 6 to 8 dozen .. ..	.. ..	0 50
	Other liquids, as eau de cologne, essences, &c. per cubic foot	.. ..	0 35
20	Wine, per hhd. of 50 gallons .. ..	per cask ..	3 0
	Beer, .. ..	.. ..	3 0
	Wine and beer in kilderkins .. ..	per "kilderkin"	2 0
	<i>Measurement.</i>		
21	Clocks, watches, musical boxes, articles de Paris (not being jewellery), looking-glasses, paintings and engravings, plated ware, cutlery, and all unenumerated articles packed in box or case .. ..	per cubic foot	0 40
22	Gold, silver, jewellery, watches, on the declared value .. ..	.. ..	† per cent.

*Note.*—For all articles of an exceptionally bulky, heavy, or unwieldy nature, a charge will be made as the case requires.

With the exception of the warrant fee provided for in Article VI of these Regulations, the above rates include all the charges to which goods stored in the bonded warehouses are liable.

## LIBERIA.

CONVENTION *between Great Britain and Liberia, relative to the Communication by Post between the Two Countries.*—Signed in London, January 20, 1858.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of the Republic of Liberia, being desirous to promote the friendly relations existing between the two countries, and to regulate, by means of a Convention, the communication by post between the British dominions and the territories of the Republic, have named for this purpose, that is to say:

The Postmaster General of Her Britannic Majesty has named Rowland Hill, Esquire, Secretary to the General Post Office of the United Kingdom of Great Britain, and his Excellency the President of the Republic of Liberia has named

Gerard Ralston, Esquire, Consul General of the said Republic for the United Kingdom of Great Britain and Ireland, who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles :

ART. I. The total amount of postage to be collected in the United Kingdom of Great Britain and Ireland upon ordinary letters posted in the United Kingdom addressed to Liberia, and conveyed between the United Kingdom and Liberia, by British mail packet, shall be as follows :

For every letter not exceeding the weight of  $\frac{1}{2}$  an ounce British, 1 rate of 6*d.*, of which 5*d.* shall represent the British postage, and 1*d.* the Liberian postage.

Reciprocally, the total amount of postage to be collected in the Republic of Liberia upon ordinary letters posted in Liberia, addressed to the United Kingdom of Great Britain and Ireland, and conveyed between Liberia and the United Kingdom by British mail packets, shall be as follows ;

For every letter not exceeding the weight of  $\frac{1}{2}$  an ounce British, 1 rate of 12 cents United States' currency, of which 2 cents shall represent the Liberian postage, and 10 cents the British postage.

With respect to the charge upon letters above the weight of  $\frac{1}{2}$  an ounce British, the following scale of progression shall be adopted in both countries :

For every letter above the weight of  $\frac{1}{2}$  an ounce British, and not exceeding 1 ounce, 2 rates :

For every letter above the weight of 1 ounce British, and not exceeding 2 ounces, 4 rates ;

For every letter above the weight of 2 ounces British, and not exceeding 3 ounces, 6 rates ;

And so on, 2 rates being added for every additional ounce or fraction of an ounce.

The prepayment of these rates of postage shall be compulsory.

II. In exception to the concluding stipulation of Article I preceding, it is agreed that every letter posted in the United Kingdom of Great Britain and Ireland addressed to Liberia, or posted in Liberia addressed to the United Kingdom of Great Britain and Ireland, upon which letter an amount of postage insufficient for its prepayment has been paid, shall be forwarded to its destination, provided the postage has been prepaid to the extent at least of one rate of 6*d.*, or 12 cents. Upon such letter there shall be collected by the office which delivers it the amount of the difference between the postage prepaid and the postage which should have been prepaid, together with a fixed additional rate of 6*d.*, or 12 cents as a fine.

The whole amount collected on the delivery of insufficiently

paid letters shall be divided between the Post Offices of the two countries in the same proportion as the postage which is prepaid.

III. The Post Offices of the two countries shall mutually account to each other for the portion of the postage which is due to each upon the letters dispatched from one office to the other.

The Post Office of Liberia shall pay to the British Post Office for all paid letters forwarded from Liberia addressed to the United Kingdom of Great Britain and Ireland the sum of 5*d.* for every letter not exceeding the weight of  $\frac{1}{2}$  an ounce.

The Post Office of Liberia shall further pay to the British Post Office the postage due to Great Britain for insufficiently paid letters forwarded to Liberia, according to the basis laid down in Article II preceding.

Reciprocally, the British Post Office shall pay to the Post Office of Liberia for all paid letters forwarded from the United Kingdom addressed to Liberia the sum of 1*d.* for every letter not exceeding the weight of  $\frac{1}{2}$  an ounce.

The British Post Office shall further pay to the Post Office of Liberia the postage due to Liberia for insufficiently paid letters forwarded to the United Kingdom of Great Britain and Ireland, according to the basis laid down in Article II preceding.

IV. The Post Office of Liberia shall pay to the British Post Office for paid letters originating in Liberia, and transmitted by way of the United Kingdom of Great Britain and Ireland to British colonies or countries beyond sea, as well as for unpaid letters originating in British colonies or countries beyond sea, and forwarded by way of the United Kingdom addressed to Liberia, as follows:

1st. The sum of 5*d.* per single letter, viz., 4*d.* for the sea conveyance between the United Kingdom and Liberia, and 1*d.* for the transit over the territory of the United Kingdom:

2ndly. The sea rate paid by the British public upon letters exchanged between the United Kingdom and British colonies or foreign countries beyond sea:

3rdly. The foreign or colonial rate or rates paid by the British Post Office to the Post Offices of the foreign countries or British colonies to or from which the letters are forwarded.

Table A annexed to this Convention shows the total amounts to be accounted for by the Post Office of Liberia upon letters of this class.

V. The Post Office of Liberia shall pay to the British Post Office for every letter not exceeding the weight of  $\frac{1}{2}$  an ounce forwarded from a port in Liberia by the British mail packets to any other port on the west coast of Africa, or to any port at which those packets may touch on their voyage to and from



the United Kingdom, the sum of 4*d.*, and for heavier letters in proportion, according to the scale laid down in Article I preceding.

For every newspaper forwarded in like manner the Post Office of Liberia shall pay to the British Post Office the sum of 1*d.*

VI. The British Post Office may send registered letters from the United Kingdom addressed to Liberia, and the Post Office of Liberia may, on its side, send registered letters from Liberia addressed to the United Kingdom of Great Britain and Ireland.

A fee, or additional charge, the amount of which the despatching office shall fix, may be levied and retained in the country from which the registered letters are despatched; but no postage, duty, or tax whatever shall be levied on the delivery of registered letters forwarded from the United Kingdom of Great Britain and Ireland addressed to Liberia, or forwarded from Liberia addressed to the United Kingdom.

VII. The Post Office of Liberia may also send to the United Kingdom of Great Britain and Ireland registered letters addressed to the following British colonies, viz.:—Malta, Gibraltar, Hong Kong, the British West Indies, the Cape of Good Hope, Ceylon, South Australia, Western Australia, Canada, New Brunswick, Prince Edward Island, Natal, and Mauritius.

Upon every registered letter so forwarded, the Post Office of Liberia shall account to the British Post Office for the sum of 6*d.*, in addition to the postage due to the British Post Office.

VIII. The addresses of registered letters sent from one country to the other shall be entered by the despatching office in the Table which is provided for the purpose in the Letter Bill, with such particulars as are pointed out by the said Table.

These letters shall be tied together with a cross string, the ends of which shall be made fast to the bottom of the letter, bill by means of a seal made of sealing-wax.

IX. Upon every British newspaper duly registered at the General Post Office for transmission abroad, posted in the United Kingdom of Great Britain and Ireland, addressed to Liberia, a postage of 1*d.* only shall be collected in advance by the British Post Office, and no charge whatever shall be made on its delivery in Liberia.

Reciprocally, upon every newspaper posted in Liberia addressed to the United Kingdom of Great Britain and Ireland, a postage of 2 cents only shall be collected in advance by the Post Office of Liberia, and no charge whatever shall be made on its delivery in the United Kingdom.

X. Upon every newspaper originating in any British colony

or country beyond sea forwarded through the United Kingdom of Great Britain and Ireland, addressed to Liberia, and upon every newspaper originating in Liberia addressed to any British colony or country beyond sea, the Post Office of Liberia shall pay to the British Post Office the sum of 1*d.*; and, in addition, any foreign transit postage with which the newspaper may be chargeable when conveyed by way of any foreign country.

XI. Subject to the following conditions, book packets may be sent from the United Kingdom of Great Britain and Ireland to Liberia, and *vice versá*:

1st. The postage must be prepaid, but the dispatching office may, if it think proper, permit a book packet, prepaid to the extent at least of one rate, to be forwarded to its destination; in such case the packet shall be charged with the deficiency, together with one additional rate of postage as a fine.

2ndly. Every packet must be sent either without a cover or in a cover open at the ends or sides, so as to admit of the inclosures being removed for examination.

3rdly. A book packet may contain any number of separate books or other publications, prints, or maps, and any quantity of paper, parchment, or vellum; and the books or other publications, prints, maps, &c., may be either printed, written, or plain, or any mixture of the three. Further, all legitimate binding, mounting, or covering of a book, publication, &c., or of a portion thereof, shall be allowed, whether such binding, &c., be loose or attached; as also rollers in the case of prints or maps, markers (whether of paper or otherwise) in the case of books; and in short, whatever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto; but no patterns or books of patterns (unless consisting merely of paper) shall be allowed.

4thly. No book packet may contain any written letter, closed or open, or any enclosure, sealed or otherwise closed against inspection, nor must there be any letter, nor any communication of the nature of a letter, written in any such packet, or in or upon its cover.

5thly. No book packet must exceed two feet British in length, width, or depth.

XII. The postage to be collected by the dispatching office upon the book packets referred to in the preceding Article shall be as follows:

1st. Upon book packets forwarded from the United Kingdom of Great Britain and Ireland to Liberia:

For a packet not exceeding 4 ounces, British, in weight, 3*d.*

For a packet weighing above 4 ounces, and not exceeding 8 ounces, 6*d.*

For a packet weighing above 8 ounces, and not exceeding 1 pound, 1s.

For a packet weighing above 1 pound, and not exceeding 1½ pound, 1s. 6d.

And so on, 6d. being added for each additional ½ pound or fraction of ½ a pound.

2ndly. Upon book packets forwarded from Liberia to the United Kingdom of Great Britain and Ireland:

For a packet not exceeding 4 ounces in weight, 6 cents.

For a packet weighing above 4 ounces, and not exceeding 8 ounces, 12 cents.

For a packet weighing above 8 ounces and not exceeding 1 pound, 24 cents.

For a packet weighing 1 pound, and not exceeding 1½ pound, 36 cents.

And so on, 12 cents being added for each additional ½ pound or fraction of ½ a pound.

XIII. The British Post Office shall pay to the Post Office of Liberia one-third of the amount of postage collected in the United Kingdom of Great Britain and Ireland upon prepaid book packets forwarded to Liberia, and upon insufficiently paid book packets received from Liberia; and the Post Office of Liberia shall pay to the British Post Office two-thirds of the amount of postage collected in Liberia upon prepaid book packets forwarded to the United Kingdom, and upon insufficiently paid book packets received from the United Kingdom.

XIV. The British Post Office promises to use its good offices with the Post Office of The United States, in order to procure for the correspondence originating in The United States, and addressed to Liberia, and *vice versa*, when forwarded through the United Kingdom, the advantage of prepayment to destination on either side.

XV. Each of the mails exchanged between the Post Offices of the two countries shall be accompanied by a letter bill, in which the despatching office shall state the nature of the articles which the mail contains, and the amount of postage due to each office.

The office to which the mail shall be forwarded shall acknowledge its receipt to the despatching office by return of post.

The letter bills and acknowledgments of receipt shall be in accordance with the forms B, C, and D, annexed to the present Convention.

XVI. Dead letters, newspapers, and book packets which cannot be delivered, from whatever cause, shall be mutually returned monthly, for the same amount of postage which was originally charged by the sending office. Letters misdirected or mis-sent shall be reciprocally returned without delay; and

letters addressed to persons who have changed their residence and returned to the country whence the letters were sent, shall in like manner be sent back, charged with the rate that would have been paid if the letters had been delivered at the first address.

XVII. The British Post Office shall prepare, at the end of every quarter, accounts exhibiting the results of the exchange of correspondence between the respective offices. Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the quarter.

After these accounts have been compared and settled by the two offices, the balance shall be paid in British money by that office which shall be found to be indebted to the other.

XVIII. The British Post Office and the Post Office of Liberia shall have power to modify from time to time, by mutual consent, the whole of the arrangements agreed upon by the present Convention.\*

XIX. The present Convention shall come into operation on the 1st day of April, 1858, and shall continue in force until one of the two Contracting Parties shall have announced to the other, one year in advance, its intention to terminate it.

XX. The present Convention shall be ratified, and the ratifications shall be exchanged as soon as possible.

Done in duplicate in London, the 20th day of January, 1858.

(L.S.) ROWLAND HILL.

(L.S.) GERALD RALSTON.

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\* See Additional Articles. Page 629.



(A.)—TABLE showing the Rates of Postage to be accounted for to the General Post Office, London, upon Letters posted in Liberia, and forwarded *via* the United Kingdom to the undermentioned Colonies and Foreign Countries, and *vice versa*.

COUNTRIES, &c.	Not exceeding ½ oz.	Above ½ oz. and not exceeding ¾ oz.	Above ¾ oz. and not exceeding 1 oz.	Above 1 oz. and not exceeding 1 ½ oz.	Above 1 ½ oz. and not exceeding 2 oz.	Above 2 oz. and not exceeding 2 ½ oz.	Above 2 ½ oz. and not exceeding 3 oz.	Above 3 oz. and not exceeding 3 ½ oz.	Above 3 ½ oz. and not exceeding 4 oz.	Every ounce after the first
Aleppo ... ..	s. d. 0 10	s. d. 1 3	s. d. 1 8	s. d. 2 6	s. d. 3 9	s. d. 4 2	s. d. 4 7	s. d. 5 0	s. d. 5 4	s. d. 5 8
Ascension ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
Austria (except Venetian Lombardy) ...	1 0	1 0	2 0	2 0	4 0	4 0	4 0	5 0	5 4	5 8
Azores ... ..	2 0	2 0	4 0	4 0	8 0	8 0	8 0	8 0	8 0	8 0
Baden ... ..	0 10	1 3	1 3	1 3	3 9	4 2	4 7	5 0	5 4	5 8
Bavaria ... ..	0 10	1 3	1 3	1 3	3 9	4 2	4 7	5 0	5 4	5 8
Belgium ... ..	0 8	0 8	1 4	1 4	3 8	4 2	4 7	5 0	5 4	5 8
Bermuda ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
Bolivia ... ..	2 4	2 4	4 8	4 8	9 4	9 4	9 4	9 4	9 4	9 4
Brazil ... ..	1 4	1 4	2 8	2 8	5 4	5 4	5 4	5 4	5 4	5 4
Bremen ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Brunswick ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Buenos Ayres ... ..	1 4	1 4	2 8	2 8	5 4	5 4	5 4	5 4	5 4	5 4
Cadiz ... ..	2 6	2 6	5 0	5 0	10 0	10 0	10 0	10 0	10 0	10 0
California ... ..	1 6	1 6	3 1	3 1	6 2	6 2	6 2	6 2	6 2	6 2
Canada ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Canary Islands ... ..	2 1	2 1	4 2	4 2	8 4	8 4	8 4	8 4	8 4	8 4
Cape of Good Hope ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
Cape de Verde Islands ... ..	2 1	2 1	4 2	4 2	8 4	8 4	8 4	8 4	8 4	8 4
Chili ... ..	2 4	2 4	4 8	4 8	9 4	9 4	9 4	9 4	9 4	9 4
Constantinople ... ..	0 10	1 3	1 3	2 6	3 9	4 2	4 7	5 0	5 4	5 8
Costa Rica ... ..	2 6	2 6	5 0	5 0	10 0	10 0	10 0	10 0	10 0	10 0
Cuba ... ..	2 6	2 6	5 0	5 0	10 0	10 0	10 0	10 0	10 0	10 0
Dardanelles ... ..	0 10	1 3	1 3	2 6	3 9	4 2	4 7	5 0	5 4	5 8
Denmark ... ..	1 2	1 2	2 5	2 5	4 10	4 10	4 10	4 10	4 10	4 10
Equator ... ..	2 4	2 4	4 8	4 8	9 4	9 4	9 4	9 4	9 4	9 4
Falkland Islands ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
France ... ..	0 8	0 11	1 7	1 10	2 11	3 2	3 5	3 8	4 1	4 10
Frankfort ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Galatz ... ..	0 10	1 3	1 3	2 6	3 9	4 2	4 7	5 0	5 4	5 8
Gallipoli ... ..	0 10	1 3	1 3	2 6	3 9	4 2	4 7	5 0	5 4	5 8
Gibraltar ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
Greece ... ..	1 3	2 1	3 4	4 2	5 10	6 8	7 6	8 4	9 2	10 0
Grey Town (St. Juan de Nicaragua) ...	2 11	2 6	5 0	5 0	10 0	10 0	10 0	10 0	10 0	10 0
Guatemala ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
Hamburg ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Hanover ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Hayti (St. Domingo) ... ..	1 8	1 8	3 4	4 2	5 10	6 8	7 6	8 4	9 2	10 0
Heligoland ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
Hesse ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Holland ... ..	0 5	0 5	0 10	0 10	1 8	1 8	1 8	1 8	1 8	1 8
Homburgh-Hesse ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Honduras ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
Ionian Islands ... ..	1 4	1 4	2 8	2 8	5 4	5 4	5 4	5 4	5 4	5 4
Jaffa ... ..	0 10	1 3	1 3	2 6	3 9	4 2	4 7	5 0	5 4	5 8
Larnica ... ..	1 5	1 5	3 1	3 1	6 2	6 2	6 2	6 2	6 2	6 2
Lauenburg ... ..	1 2	1 2	2 5	2 5	4 10	4 10	4 10	4 10	4 10	4 10
Lippe-Detmold ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Lubeck ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Luxembourg (Duchy of) ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Majorca ... ..	1 0	1 3	1 3	2 6	3 9	4 2	4 7	5 0	5 4	5 8
Malta ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
Mecklenburgh-Strelitz ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Mecklenburgh-Schwerin ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Metelin or Mytelene ... ..	0 10	1 3	1 3	2 6	3 9	4 2	4 7	5 0	5 4	5 8
Mexico ... ..	2 6	2 6	5 0	5 0	10 0	10 0	10 0	10 0	10 0	10 0
Mihorea ... ..	1 0	1 3	1 3	2 6	3 9	4 2	4 7	5 0	5 4	5 8
Modena ... ..	1 1	1 9	2 10	2 10	3 11	4 1	4 4	4 7	5 0	5 8
Monte Video ... ..	1 4	1 4	2 8	2 8	5 4	5 4	5 4	5 4	5 4	5 4
Naples ... ..	1 3	2 1	3 4	4 2	5 10	6 8	7 6	8 4	9 2	10 0
Nassau (Grand Duchy of) ... ..	1 0	1 0	2 0	2 0	4 0	4 0	4 0	4 0	4 0	4 0
Natal ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
New Brunswick ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
Newfoundland ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
New Granada ... ..	1 4	1 4	2 8	2 8	5 4	5 4	5 4	5 4	5 4	5 4
New South Wales ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
New Zealand ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8
Norway ... ..	1 8	1 8	3 4	4 2	5 10	6 8	7 6	8 4	9 2	10 0
Nova Scotia ... ..	0 10	0 10	1 8	1 8	3 4	4 4	4 4	5 0	5 4	5 8

COUNTRIES, &c.	Not exceeding 1 oz.		Above 1 oz. and not exceeding 2 oz.		Above 2 oz. and not exceeding 3 oz.		Above 3 oz. and not exceeding 4 oz.		Above 4 oz. and not exceeding 5 oz.		Above 5 oz. and not exceeding 6 oz.		Above 6 oz. and not exceeding 7 oz.		Above 7 oz. and not exceeding 8 oz.		Above 8 oz. and not exceeding 9 oz.		Every ounce after the first.	
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
Oldenburgh ... ..	1	0	1	0	2	0	2	0	4	0	4	0	5	0	5	0	6	0	2	0
Oregon ... ..	1	6	1	6	3	1	3	1	6	2	6	2	6	2	6	2	6	2	6	2
Papal States ... ..	1	3	2	1	3	4	4	2	6	10	6	8	7	6	8	4	4	4	4	2
Parma and Placentia ... ..	1	1	1	9	2	10	3	6	5	0	5	0	6	4	7	0	4	3	6	8
Peru ... ..	2	4	2	4	4	8	4	8	9	4	9	4	9	4	9	4	9	4	9	4
Poland ... ..	1	3	1	3	2	7	2	7	5	2	5	2	5	2	5	2	5	2	5	2
Portugal ... ..	2	0	2	0	4	0	4	0	8	0	8	0	8	0	8	0	8	0	8	0
Prince Edward Island ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	3	4
Prussia ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Rouss ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Rhodes ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Russia ... ..	1	3	1	3	2	7	2	7	5	2	5	2	5	2	5	2	5	2	5	2
St. Croix ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
St. Eustatius ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
St. Helena ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
St. Martin's ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
St. Thomas ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
Salonica ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Samsoun ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Sandwich Islands ... ..	1	6	1	6	3	1	3	1	6	2	6	2	6	2	6	2	3	1	3	1
Sardinia ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Saxe-Altenburg ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Saxe-Coburg Gotha ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Saxe-Meinengen ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Saxe-Weimar ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Saxony ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Schaumburg-Lippe ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Schwartzburg-Rudolstadt ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Schwartzburg-Sondershausen ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Scutari ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Sicilies (Two) ... ..	1	3	2	1	3	4	4	2	5	10	6	8	7	6	8	4	4	2	4	2
Smyrna ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
South Australia ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
Spain (Cadiz and Vigo excepted) ... ..	1	0	1	3	2	3	2	6	4	3	4	6	4	9	5	0	2	6	2	6
Surinam ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
Sweden ... ..	1	6	1	6	3	0	3	0	6	0	6	0	6	0	6	0	6	0	3	0
Switzerland ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Syria ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Tasmania ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
Tchesme ... ..	1	5	1	5	2	10	2	10	5	8	5	8	5	8	5	8	5	8	2	10
Tenedos ... ..	1	5	1	5	2	10	2	10	5	8	5	8	5	8	5	8	5	8	2	10
Trebizond ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Tripoli (in Syrin) ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Tulcha ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Tunis ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Turkey (except the places specified) ... ..	1	0	1	0	2	0	2	0	4	0	4	0	4	0	4	0	4	0	2	0
Tuscany ... ..	1	1	1	9	2	10	3	6	5	0	5	8	6	4	7	0	3	6	3	6
United States ... ..	1	1	1	1	2	2	2	2	4	4	4	4	4	4	4	4	4	4	2	2
Vancouver's Island ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
Varna ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6
Venetian Lombardy ... ..	1	1	1	9	2	10	3	6	5	0	5	8	6	4	7	0	3	6	3	6
Venezuela ... ..	1	4	1	4	2	8	2	8	5	4	5	4	5	4	5	4	5	4	2	8
Victoria ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
Vigo (via Southampton) ... ..	2	6	2	6	5	0	5	0	10	0	10	0	10	0	10	0	10	0	5	0
West Indies (British) ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
West Indies (Foreign), except Cuba, St. Thomas, St. Croix, St. Martin's and St. Eustatius ... ..	1	8	1	8	3	4	3	4	6	8	6	8	6	8	6	8	6	8	3	4
Western Australia ... ..	0	10	0	10	1	8	1	8	3	4	3	4	3	4	3	4	3	4	1	8
Wurtemberg ... ..	0	10	1	3	2	1	2	6	3	9	4	2	4	7	5	0	2	6	2	6

## (B.)—LETTER BILL.

From \_\_\_\_\_ for \_\_\_\_\_.

Despatch of \_\_\_\_\_ 185

TABLE NO. 1.—ORDINARY LETTERS.

Credit of United Kingdom.	Credit of Liberia.	Description of Correspondence.	Statement by the British Office.	Verification by the Liberian Office.
—	1	Paid letters from the United Kingdom for Liberia. . . . .	£ s. d.	£ s. d.
1	—	Insufficiently paid letters from the United Kingdom for Liberia ..		
2	—	Unpaid letters from British Colonies and Foreign Countries, &c. for Liberia in transit through the United Kingdom .. ..		

TABLE NO. 2.—NEWSPAPERS AND BOOK PACKETS.

Credit of United Kingdom.	Credit of Liberia.	Description of Correspondence.	Statement by the British Office.	Verification by the Liberian Office.
3	—	Newspapers from British Colonies and Foreign Countries, &c., for Liberia, in transit through the United Kingdom .. ..	£ s. d.	£ s. d.
—	2	Paid book packets from the United Kingdom for Liberia .. ..		
4	—	Insufficiently paid book packets from the United Kingdom for Liberia .. .. .		

TABLE NO. 3.—REGISTERED LETTERS.

Number.	Origin.	To whom addressed.	Destination.

## ACKNOWLEDGMENT OF RECEIPT.

From \_\_\_\_\_ for \_\_\_\_\_

Despatch of \_\_\_\_\_ 185 .

TABLE NO. 1.—ORDINARY AND REGISTERED LETTERS.

Credit of Liberia.	Credit of United Kingdom.	Description of Correspondence.	Statement by the Liberian Office.	Verification by the British Office.
			£ s. d.	£ s. d.
—	1	Paid letters from Liberia for the United Kingdom .. ..		
1	—	Insufficiently paid letters from Liberia for the United Kingdom .. ..		
—	2	Paid letters from Liberia for British Colonies and Foreign Countries, &c., in transit through the United Kingdom .. ..		
—	3	Fees or additional charge upon registered letters. Postage accounted for under Art. II .. ..		

TABLE NO. 2.—NEWSPAPERS AND BOOK PACKETS.

Credit of Liberia.	Credit of United Kingdom.	Description of Correspondence.	Statement by the Liberian Office.	Verification by the British Office.
			£ s. d.	£ s. d.
—	4	Newspapers from Liberia for British Colonies and Foreign Countries, &c., in transit through the United Kingdom .. ..		
—	5	Book packets from Liberia for the United Kingdom .. ..		
2	—	Insufficiently paid book packets from Liberia for the United Kingdom .. ..		

TABLE NO. 3.—REGISTERED LETTERS.

Number.	Origin.	To whom addressed.	Destination.



## (C.)—LETTER BILL.

From \_\_\_\_\_ for \_\_\_\_\_.

Despatch of \_\_\_\_\_ 185 \_\_\_\_.

TABLE NO. 1.—ORDINARY AND REGISTERED LETTERS.

Credit of Liberia.	Credit of United Kingdom.	Description of Correspondence.	Statement by the Liberian Office.	Verification by the British Office.
—	1	Paid letters from Liberia for the United Kingdom .. ..	£ s. d.	£ s. d.
1	—	Insufficiently paid letters from Liberia for the United Kingdom .. ..		
—	2	Paid letters from Liberia for British Colonies and Foreign Countries, &c., in transit through the United Kingdom .. ..		
—	3	Fees or additional charge upon registered letters. (Postage accounted for under Art. II) ..		

TABLE NO. 2.—NEWSPAPERS AND BOOK PACKETS.

Credit of Liberia.	Credit of United Kingdom.	Description of Correspondence.	Statement by the Liberian Office.	Verification by the British Office.
—	4	Newspapers from Liberia for British Colonies and Foreign Countries, &c., in transit through the United Kingdom .. ..	£ s. d.	£ s. d.
—	5	Book packets from Liberia for the United Kingdom .. ..		
2	—	Insufficiently paid book packets from Liberia for the United Kingdom .. ..		

TABLE NO. 3.—REGISTERED LETTERS.

Number.	Origin.	To whom addressed.	Destination.

## ACKNOWLEDGMENT OF RECEIPT.

From \_\_\_\_\_ for \_\_\_\_\_.

Despatch of \_\_\_\_\_ 185 \_\_\_\_.

TABLE NO. 1.—ORDINARY LETTERS.

Credit of United Kingdom.	Credit of Liberia.	Description of Correspondence.	Statement by the British Office.	Verification by the Liberian Office.
			£ s. d.	£ s. d.
—	1	Paid letters from the United Kingdom for Liberia .. ..		
1	—	Insufficiently paid letters from the United Kingdom for Liberia ..		
2	—	Unpaid letters from British Colonies and Foreign Countries, &c., for Liberia, in transit through the United Kingdom .. ..		

TABLE NO. 2.—NEWSPAPERS AND BOOK PACKETS.

Credit of United Kingdom.	Credit of Liberia.	Description of Correspondence.	Statement by the British Office.	Verification by the Liberian Office.
			£ s. d.	£ s. d.
3	—	Newspapers from British Colonies and Foreign Countries, &c., for Liberia, in transit through the United Kingdom .. ..		
—	2	Paid book packets from the United Kingdom for Liberia .. ..		
4	—	Insufficiently paid book packets from the United Kingdom for Liberia .. ..		

TABLE NO. 3.—REGISTERED LETTERS.

Number.	Origin.	To whom addressed.	Destination.

(D.)—By British Packet.—LETTER BILL.

MAIL.

From \_\_\_\_\_ for \_\_\_\_\_.

Despatch of \_\_\_\_\_ 185 \_\_\_\_.

					To the Credit of the British Office.					
					Statement by the Despatching Office.			Verification by the Receiving Office.		
					£	s.	d.	£	s.	d.
Letters	..	..	..	..						
Newspapers	..	..	..	..						
Total	..	..	..	..						

ADDITIONAL ARTICLES *to the Convention between Great Britain and Liberia, relative to the Communication by Post between the Two Countries, signed in London, the 20th January, 1858.\* Signed in London, June 23, 1864.*

IN pursuance of the power granted by Article XVIII of the Convention of the 20th January, 1858, between the United Kingdom of Great Britain and Ireland and the Republic of Liberia, to the two Post Offices to modify from time to time, by mutual consent, the whole of the arrangements agreed upon by that Convention.

The Undersigned, duly authorized for that purpose, have agreed upon the following Articles:

ART. I. Subject to the following conditions, patterns of merchandize may be sent from the United Kingdom of Great Britain and Ireland to Liberia, and *vice versa*.

1. The patterns of merchandize must not be of intrinsic value. No article of a saleable nature, or which has a mercantile value, either by reason of its quality or its quantity, and of which a use might be made otherwise than as a pattern, shall be sent at the rate applicable to patterns of merchandize.

2. The patterns of merchandize must not bear any other writing than the address of the person for whom they are intended, the address of the sender, a manufacturer's or trade mark, numbers and prices.

3. The patterns of merchandize must be sent (as in the case of books) in covers open at the ends, so as to admit of easy examination. Samples, however, of seeds, drugs, and articles of a similar description which cannot be sent in open

\* See Page 616.

covers, shall be allowed to be enclosed in bags of linen, paper, or other material, tied at the neck with a string; but closed bags, although transparent, shall not be used for this purpose.

4. No article likely to injure the contents of the mail bags, or the person of any officer of the Post Office, shall be sent through the post as a pattern of merchandize.

II. The postage to be collected in the United Kingdom upon patterns of merchandize posted in the United Kingdom, addressed to Liberia, shall be as follows:

For a packet not exceeding 4 ounces British in weight, 3*d*.

For a packet above 4 ounces, and not exceeding 8 ounces, 6*d*.

For a packet above 8 ounces, and not exceeding 1 pound, 1*s*.

For a packet above 1 pound, and not exceeding 1½ pound, 1*s*. 6*d*.; and so on, 6*d*. being added for each additional ½ pound or fraction of ½ a pound.

The postage to be collected in Liberia upon patterns of merchandize posted in Liberia, addressed to the United Kingdom, shall be as follows:

For a packet not exceeding 4 ounces in weight, 6 cents.

For a packet above 4 ounces, and not exceeding 8 ounces, 12 cents.

For a packet above 8 ounces, and not exceeding 1 pound, 24 cents.

For a packet above 1 pound, and not exceeding 1½ pound, 36 cents; and so on, 12 cents being added for each additional ½ pound or fraction of ½ a pound.

III. No charge beyond the rates specified in the foregoing Article, whether for delivery or for any other service, shall be made, either in the United Kingdom or in Liberia, upon patterns of merchandize exchanged between the two countries.

IV. The British Post Office shall pay to the Post Office of Liberia one-third of the amount of postage collected in the United Kingdom of Great Britain and Ireland upon patterns of merchandize forwarded to Liberia; and the Post Office of Liberia shall pay to the British Post Office two-thirds of the amount of postage collected in Liberia upon patterns of merchandize forwarded to the United Kingdom.

V. The present Articles shall be considered as additional to the Convention which was signed in London on the 20th January, 1858, between the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of Liberia, and shall have the same force, validity, and duration, as if they were inserted in that Convention.

They shall come into operation on the 1st day of October, 1864.

In witness whereof the Undersigned have signed the fore-



going additional Articles to the Convention of the 20th January, 1858, and have affixed thereto their respective seals.

Done, in duplicate, in London, the 23rd day of June, 1864.

(L.S.) J. TILLEY.

(L.S.) GERARD RALSTON.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize, transmitted to or from Liberia.* October 1, 1864.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, parliamentary proceedings, and printed papers, transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post. And by the same Act powers were given to the Commissioners of Her Majesty's Treasury from time to time by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act of Parliament passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient to authorize the transmission by the post between the United Kingdom and the Republic of *Liberia* of certain packets, and for that purpose to make certain regulations in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts of Parliament, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows; that is to say:

1. All packets consisting of patterns or samples of merchandize of no intrinsic value, posted in any part of the United Kingdom addressed to the Republic of *Liberia*, or posted in the Republic of *Liberia* addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and the Republic of *Liberia* by British packet boat, subject to the several rates of postage hereinafter mentioned, that is to say:

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid an uniform single rate of postage of 3*d.*;

And on every such packet, if exceeding 4 ounces in weight, there shall be charged, taken, and paid progressive and additional rates of postage as follows, that is to say:

On every such packet, if exceeding 4 ounces and not exceeding  $\frac{1}{2}$  of a pound in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound, and not exceeding 1 pound in weight, there shall be charged, taken, and paid 4 rates of postage;

And on every such packet, if exceeding 1 pound, and not exceeding  $1\frac{1}{2}$  pound in weight, there shall be charged, taken, and paid 6 rates of postage;

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet, above the weight of  $1\frac{1}{2}$  pound, there shall be charged, taken, and paid 2 additional rates of postage, and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

2. Every packet which shall be transmitted by the post under the authority of this Warrant, shall be so transmitted in conformity with, and under and subject to, the several orders, directions, regulations, and conditions hereinafter contained, that is to say:

3. No such packet which in length, or breadth, or depth shall exceed the dimensions of 2 feet shall be transmitted by the post under the provisions of this Warrant.

4. No pattern or sample being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own, apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

5. There shall be no enclosure, sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in or with any such packet.

6. There shall be no writing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices.

7. All such packets shall be sent in covers open at the ends, so as to be easy of examination: nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers may be enclosed in bags of linen or of other

material; but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

8. Every packet transmitted by the post under this Warrant and posted in the United Kingdom, shall be put into the Post Office at such hours in the day and under all such regulations as the Postmaster-General may appoint.

9. The postage of all such packets as aforesaid posted in the United Kingdom, shall in every case be paid at the time of the same being posted, either in money or by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

10. If any packet transmitted by the post under the provisions of this Warrant, be sent by the post otherwise than in conformity with the conditions and regulations established by or under the authority of this Warrant, the same shall and may be detained and opened, and, at the option of the Postmaster-General, shall be either returned or be given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such packet, on being so returned, given up, or forwarded, shall be chargeable with any rates of postage the Postmaster-General may think fit, not exceeding the rates that would be chargeable on such packet as an unpaid letter.

11. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet, posted or forwarded by the post under the provisions of this Warrant, for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, whenever it may be necessary so to do, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

12. In all cases in which any question shall hereafter arise whether any packet, or any pattern or sample contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

13. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act, passed in the 4th year of the reign of Her Majesty, cap. 96.

14. The Commissioners for the time being of Her Majesty'

Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

15. This Warrant shall come into operation on the 1st day of October, 1864.

Whitehall Treasury Chambers, the 1st day of October, 1864.

LUKE WHITE.

WM. DUNBAR.

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## MADAGASCAR.

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*TREATY of Peace, Friendship, Commerce, and Slave Trade, between Great Britain and Madagascar. Signed, in the English and Malagasy Languages, at Antananarivo, June 27, 1865.\**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and Her Majesty Rasoharina Manjaka, Queen of Madagascar, being desirous of concluding a Treaty of Peace and Friendship, and to regulate thereby the commercial intercourse between their respective subjects and dominions, the following Articles have for that purpose been mutually agreed upon and signed between Thomas Conolly Pakenham, Esquire, Her Britannic Majesty's Consul in Madagascar, duly authorized to that effect on the part of Her Britannic Majesty, and by his Excellency Rainimaharavo, Sixteenth Honor, Chief Secretary of State; Andriantsitohaina, Sixteenth Honor; Ravahatra, Chief Judge; and Rafaralahibemalo, Head of the Civilians, duly authorized to that effect on the part of Her Majesty the Queen of Madagascar:

ART. I. Peace, friendship, and good understanding shall from henceforward and for ever subsist between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and Her Majesty the Queen of Madagascar, and between their respective heirs, successors, and subjects.

II. The subjects of Her Britannic Majesty shall have full liberty to enter into, rent or lease houses or lands in, trade with, and pass with their merchandize through, all parts of the dominions of Her Majesty the Queen of Madagascar which are under the control of a Governor duly appointed by the Malagasy authorities, except Ambohimanga, Ambohimananbola, and Amparafavato; and they shall enjoy therein all the privileges and advantages with regard to commerce, or with regard

\* Ratifications exchanged at Antananarivo, July 5, 1866.



to any other matter whatsoever, which are now or may hereafter be granted to or allowed to be enjoyed by the subjects or citizens of the most favoured nation; and the subjects of Her Majesty the Queen of Madagascar shall, in like manner, be at liberty to enter into, rent or lease houses or land in, trade with, and pass with their merchandize through all parts of Her Britannic Majesty's dominions, as freely as the subjects of the most favoured nation, and they shall enjoy, in those dominions, all the privileges and advantages with regard to commerce, or with regard to any other matter whatever, which are now or may hereafter be granted to or allowed to be enjoyed by the subjects or citizens of the most favoured nation.

III. British subjects in the dominions of Her Majesty the Queen of Madagascar shall be allowed freely to exercise and teach the Christian religion, and to erect and maintain suitable places of worship. Such places of worship, with their lands and appurtenances, shall however be recognized as the property of the Queen of Madagascar, who shall permit them to be applied for ever to the special purposes for which they shall have been built. They shall, in the profession, exercise, and teaching of their religion, receive the protection of the Queen and her officers, and shall not be persecuted or interfered with.

Her Majesty the Queen of Madagascar, from her friendship for Her Britannic Majesty, promises to grant full religious liberty to all her subjects, and not to persecute or molest any subjects or natives of Madagascar on account of their embracing or exercising the Christian religion. But should any of her subjects professing Christianity be found guilty of any criminal offence, the action of the law of the land shall not be interfered with.

IV. The Queen of Madagascar engages to receive a British Agent at her capital; and Her Britannic Majesty, in like manner, engages to receive at the Mauritius, or at London, an Agent of the Queen of Madagascar.

Each Contracting Party may appoint Consuls for the protection of trade to reside in the dominions of the other.

Such Agents and Consuls shall enjoy, in the respective dominions, the same rights and privileges which are or may be there granted to Agents of the same rank of the most favoured nation.

V. British subjects shall be permitted, as fully as the subjects or citizens of the most favoured nation, in any lawful manner to purchase, rent, or lease land, houses, warehouses, and all other kinds of property within all parts of the dominions of Her Majesty the Queen of Madagascar which are under the control of a Governor duly appointed by the Malagasy authorities. They shall be at liberty to build on land purchased, rented, or leased by them, houses of any

material they please, except of stone or clay at the capital of Madagascar, and other towns where such buildings are forbidden by the laws of the country; and Her Majesty the Queen of Madagascar engages that British subjects shall, as far as lies in her power, equally with her own subjects, enjoy within her dominions, full and complete protection and security for themselves and for any property which they may so acquire in future, or which they may have acquired already before the date of the present Treaty.

British subjects may freely engage in their service, in any capacity whatever, any native of Madagascar not a slave or a soldier, who may be free from any previous engagement. Leases, contracts of sale or purchase of houses or lands in Madagascar, and engagements of labourers, may be executed by deeds signed before the British Consul and the local authorities. All such engagements, however, are liable to be determined by mutual consent, should the services of persons so engaged be required by the Queen, or on their own application, after due notice.

No domiciliary visits shall be made to the establishments, houses, or properties possessed or occupied by British subjects, unless by the consent of the occupants, or in concert with the British Consul.

In the absence, however, of any Consular officer, the local authorities may enter, after giving due notice to the occupants, whenever it is certainly known that stolen property or persons escaping from justice are concealed on the premises.

No British subjects residing in Madagascar shall have the right of entering the house of any subject of the Queen of Madagascar against the will of the occupant.

VI. Munitions of war shall be imported by the Queen of Madagascar alone into her dominions; but save the said munitions of war, no article whatever shall be prohibited from being imported into the territories of Her Majesty the Queen of Madagascar; nor shall any article whatever be prohibited from being exported therefrom, except munitions of war, and the following articles which are forbidden by the law of Madagascar to be exported, namely, timber and cows.

The trade between the dominions of Her Britannic Majesty and the dominions of Her Majesty the Queen of Madagascar shall be perfectly free, subject to a duty not exceeding 10 per cent.

A tariff of such duties shall be drawn up by the British Consul and by a person or persons commissioned by Her Majesty the Queen of Madagascar, and shall be submitted for the approval of Her Britannic Majesty.

Such tariff shall be drawn up and published within one year after the exchange of the ratifications of the present Treaty.

In case any article of produce or merchandize should be inadvertently omitted from such tariff, the duty levied on such article shall be calculated at the market value of the merchandize at the period at which the Tariff was framed.

No prohibition shall apply to any article imported or exported by British subjects or vessels, unless the prohibition apply equally to the subjects and vessels of every other foreign nation.

VII. Her Majesty the Queen of Madagascar agrees that no duty exceeding 10 per cent. should be levied on the exportation from Her Majesty's dominions of any article, the growth, produce, or manufacture of those dominions.

VIII. No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other local dues, shall be imposed in the ports of the dominions of either country upon the vessels of the other country, from whatever place arriving, or whatever may be their place of destination, which shall not equally be imposed in the like cases on national vessels, or on vessels of the most favoured nation.

IX. Her Majesty the Queen of Madagascar engages to permit the ships of war of Her Britannic Majesty freely to enter into the military ports, rivers, and creeks, situated within her dominions, and to allow such ships to provide themselves, at a fair and moderate price, with such supplies, stores, and provisions as they may from time to time stand in need of.

No subject of the Queen of Madagascar shall be permitted to embark on board any British ship, except such as shall have received a passport from the Malagasy authorities.

The rights of Sovereignty shall in all cases be respected in the dominions of the one Sovereign by the subjects of the other.

X. If any vessels under the British flag should be wrecked on the coast of the dominions of the Queen of Madagascar, which are under the control of a Governor duly appointed by the Malagasy authorities, Her Majesty engages to give them all the assistance in her power, and to secure them from plunder, as well as to recover for and to deliver over to the owners thereof all the property which can be saved from such vessels. Her Majesty further engages to do all in her power to extend to the officers and crew, and to all other persons on board such wrecked vessels, full protection both as to their persons and as to their property.

XI. Her Majesty the Queen of Madagascar agrees that in all cases where a British subject shall be accused of any crime committed in any part of her dominions, the person so accused shall be exclusively tried and adjudged by the British Consul or other officer duly appointed for that purpose by Her Britannic Majesty. But any British subject whom the British Consul or

other officer shall find to have been guilty of having openly offended against the laws of Madagascar shall be liable to be banished from the country.

In all cases where disputes or differences shall arise within the dominions of the Queen of Madagascar between British subjects and the subjects of Her Majesty the Queen of Madagascar, Her Britannic Majesty's Consul or other duly appointed officer, aided by an officer duly authorized by Her Majesty the Queen of Madagascar, shall have power to hear and decide the same.

The Malagasy authorities shall not interfere in differences or disputes between British subjects, or between British subjects and the subjects or citizens of any third Power.

The British authorities shall not interfere in differences or disputes between Malagasy subjects and the subjects or citizens of any third Power in Madagascar.

XII. If a subject of the Queen of Madagascar should refuse or evade the payment of a debt due to a British subject, the local authorities shall afford every assistance and facility to the creditor for recovering the debt; and in like manner, the British Consul shall afford every assistance to subjects of the Queen of Madagascar to recover debts due to them by British subjects.

XIII. The local authorities of Madagascar shall have no right to interfere with British vessels of commerce, which are subject only to the British authority and to their Captains; but no British vessels shall communicate with the shore before receiving pratique from the local authorities. In the absence, however, of a British ship of war, the Malagasy authorities, if requested by the British Consul or Consular Agent, shall afford assistance in order to cause his authority to be respected by his own countrymen, and to re-establish and maintain discipline among the crews of British merchant-vessels.

If any British seamen should desert from their ships, the local authorities shall use every effort to apprehend them, and shall deliver them up to the British Consul or to the Captain of their ship.

XIV. The Malagasy authorities shall do all in their power to deliver up property of a British subject who may die in Madagascar to his heirs or representatives, or, in their absence, to the British Consul.

The property of a subject of the Queen of Madagascar who may die in the British dominions shall be treated in the same manner as the property of a British subject.

XV. If any British merchant-vessel should be attacked or plundered in the waters of Madagascar, adjacent to any military station whatever, the local authorities, as soon as informed of the fact, shall institute active pursuit after the offenders, and shall omit no effort to discover and punish them.



The goods which may have been carried off, wherever and in whatever state they may be found, shall be delivered to the owner, or to the Consul, who will undertake to restore them.

The same course shall be followed in the case of plunder or robbery committed on the property of British subjects residing in the neighbourhood of any military station, whether on the shores or in the interior of Madagascar.

The local authorities, on proving that they have used every effort to apprehend the offenders and to recover the goods stolen, shall not be pecuniarily responsible for the loss.

The same protection shall be granted in favour of the property of subjects of the Queen of Madagascar plundered or robbed on the coasts or in the interior of the British dominions.

XVI. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and Her Majesty the Queen of Madagascar hereby engage to use every means in their power for the suppression of piracy within the seas, straits, and rivers subject to their respective control or influence: and Her Majesty the Queen of Madagascar engages not to grant either asylum or protection to any persons or vessels engaged in piratical pursuits; and in no case will she permit ships, slaves, or merchandize captured by pirates to be introduced into her dominions, or to be exposed therein for sale. And Her Majesty the Queen of Madagascar concedes to Her Britannic Majesty the right of investing her officers and other duly constituted authorities with the power of entering at all times, with their vessels of war, or other vessels duly empowered, the ports, rivers, and creeks within the dominions of Her Majesty the Queen of Madagascar, in order to capture all vessels engaged in piracy, and to seize and to reserve for the judgment of the proper authorities all persons offending against the two Contracting Powers in this respect.

XVII. Her Britannic Majesty and Her Majesty the Queen of Madagascar being greatly desirous of effecting the total abolition of the Trade in Slaves, Her Majesty the Queen of Madagascar engages to do all in her power to prevent all such traffic on the part of her subjects, and to prohibit all persons residing within her dominions, or subject to her, from countenancing or taking any share in such trade. No persons from beyond sea shall be landed, purchased, or sold as slaves in any part of Madagascar. And Her Majesty the Queen of Madagascar consents that British cruisers shall have the right of searching any Malagasy or Arab vessels suspected of being engaged in the Slave Trade, whether under sail or at anchor in the waters of Madagascar. Her Majesty the Queen of Madagascar further consents that if any such vessels shall prove to be engaged in the Slave Trade, such vessels and their crews shall be dealt with by the

## MEXICO.

cruizers of Her Britannic Majesty as if such persons and their vessels had been engaged in a piratical undertaking.

XVIII. Her Majesty the Queen of Madagascar engages to abolish trial by the ordeal of poison.

If there should be war between Great Britain and Madagascar (which God forbid), any prisoners who may be taken by either party shall be kindly treated, and shall be set free, either by exchange during the war, or without exchange when peace is made; and such prisoners shall not on any account be made slaves or put to death.

XIX. The present Treaty shall be ratified by Her Britannic Majesty and by Her Majesty the Queen of Madagascar, and the ratifications shall be exchanged at London or Antananarivo, within the space of 6 months from this date.

But if, at any future time, it shall seem desirable in the interests of the subjects of either of the two Contracting Parties, to alter or to add to the present Treaty, such alterations or additions shall be effected with the consent of both parties.

Signed and sealed in duplicate originals, with a Malagasy translation to each, at Antananarivo, this 27th day of June, in the year 1865.

(L.S.) T. C. PAKENHAM,	RAINIMAHARAVO,
<i>Her Majesty's Consul for</i>	<i>Chief Secretary of</i>
<i>Madagascar.</i>	<i>State, 16 Vtra.</i>
	ANDRIANTSITOHAINA, 16 Vtra.
Seal of the Queen of	RAVAHATRA, <i>Lehibeny Andby.</i>
Madagascar.	RAFARALAHIBEMALO,
	<i>Leholona lehibe.</i>

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## MEXICO.

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CONVENTION *between Great Britain and Mexico, for the Settlement of British Claims.—Signed in the English and Spanish Languages, at Mexico, October 15, 1842.\**

WHEREAS it is expedient that a definite arrangement be concluded for the payment of certain sums acknowledged to be due by the Mexican Government to subjects of Her Britannic Majesty, the discharge of which has, in some cases in the whole, and in others in part, been hitherto prevented by unforeseen circumstances, the Government of the Mexican Republic have, from a desire to meet the wishes of that of Great Britain, consented to conclude with Her Majesty's Minister Plenipotentiary a formal agreement for the above purpose: wherefore the Undersigned, Her Britannic Majesty's Minister Plenipotentiary,

\* Laid before Parliament, in 1862, with Correspondence on Affairs of Mexico.

having met in formal Conference by previous appointment, in the office of Foreign Affairs, the Minister of that Department and the Minister of Finance, they have agreed to the following Articles :

ART. I. Of the import duties accruing at the ports of Vera Cruz and Tampico from and after the date of the present agreement, there shall be set apart 2 per cent. in the former and 1 per cent. in the latter port, to be applied to the payment of the sums acknowledged to be due up to this date to British subjects. The proceeds of these appropriations shall be paid over to the agent of the parties interested in them, to be distributed in proportion to their respective credits.

The duties already disposed of by the Government in their entire amount previously to the date of this agreement are not included in these appropriations, with the understanding that the portion of the duties assigned by the present Article shall not henceforward be disposed of for any other object.

II. Such of the said credits as have hitherto gained interest by virtue of pre-existing agreements shall continue to gain interest at the rate in each case stipulated; and such as have not hitherto been entitled to interest shall hereafter be entitled to it at the rate of 12 per cent. per annum.

III. It is, moreover, agreed that the interest accruing up to this date, and not yet discharged, shall be computed and added to the respective capitals; and this new capital shall be entitled to interest at the rate of 12 per cent. per annum up to date of its discharge.

IV. In order to prevent any doubt or misapprehension as to the description of credits to be entitled to the benefit of the present agreement, it is declared that its application shall extend only to such credits as have been acknowledged by the Mexican Government through the interference of the British Mission, including the sums exacted from time to time from the subjects of Her Majesty under the head of forced loans.

V. It is formally declared by the parties to this agreement that it shall be considered as having the same force and effect, and being equally binding, as a Convention between the 2 Governments.

In witness whereof we, the Ministers aforesaid, have signed it, and sealed it with our respective seals.

Done at Mexico, this 15th day of October, 1842.

(L.S.) R. PAKENHAM.

(L.S.) J. M. DE BOCANEGRA.

(L.S.) G. INGUERAS.

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CONVENTION *between Great Britain and Mexico, for the Settlement of British Claims (Convention Bondholders). Signed at Mexico, December 4, 1851.*

(Translation.)

THE Mexican Government having declared the impossibility of its fulfilling certain Conventions and Agreements which exist between it and various British subjects, entered into under the guarantee of Her Britannic Majesty's Legation, on account of the state of penury of the Federal Treasury which has caused it to suspend the payment of the quotas set apart for the payment of those Conventions and Agreements, after long and repeated conferences, in which a careful investigation has been made into the state of the revenue of the Republic, the numerous obligations by which it is bound, and the advantage to both parties to enter into an arrangement founded on conditions which can be carried out, and not on such as may be of difficult or uncertain execution, which besides the prejudice they would cause to the creditors themselves, might compromise the preservation of the good harmony which exists between the Governments of both countries; and being, moreover, desirous of doing justice to the demands made by its creditors, as far as its resources and the obligation and right it has to preserve its existence will permit, and its creditors being willing to make the sacrifice of their demands in favour of an arrangement based upon as equitable terms as the situation of the finances of the country will permit, counting upon the guarantee and security that it will be faithfully carried out, the Undersigned Minister for Foreign Affairs of the United States of Mexico, authorized by the Decree of the 17th October of the present year, and Her Britannic Majesty's Chargé d'Affaires, having met together in a Diplomatic Conference, have agreed upon the following Articles:

ART. I. The creditors interested in the existing Conventions and arrangements known under the name of the house of Martinez del Rio Brothers; of Montgomery, Nicod, and Co., represented by the house of Jecker and Co.; and of the Convention signed by Mr. Pakenham on the 15th of October, 1842,\* shall present themselves at the General Treasury to settle the amount of their credits, according to the terms agreed upon in this Convention, and that amount shall be fixed precisely within the term of 30 days, counted from the day on which this Convention is signed.

II. The Mexican Government obliges itself to pay yearly a sum of 5 per cent. for the purpose of paying off the capital of this Consolidated Fund, and 3 per cent. per annum for interest upon it, calculated on the gradual decrease of the amount of the fund caused by the paying off of the capital.

III. The payment of the sums destined to pay off yearly

\* See Page 640.



the capital and interest of the credits included in the present Convention shall take place every 6 months through a Commissioner appointed for that purpose by the creditors interested in the Convention.

To render effective the stipulations contained in the preceding Article, the Mexican Government obliges itself to assign from the produce of the importation duties collected in the Custom-Houses established in the ports of the Republic, so much per cent. as may be sufficient to cover the amount necessary for paying the 5 per cent. destined to pay off the capital and the 3 per cent. interest allotted to the credits included in the present Convention.

To prevent any delay or suspension at any time taking place in the payment of the 5 and 3 per cent. above mentioned, the Mexican Government obliges itself to send an order to the Collectors of the aforesaid revenue, stating to them the amount of the aforesaid duties to be sent in separate drafts to the General Treasury in favour of the aforesaid Commissioner, which drafts are to be made over to him as soon as they are received at the Treasury.

If at the end of the year the amounts due for the interest and for the 5 per cent. for paying off the capital are not covered, the General Treasury, without waiting for any further order, shall pay the amount due with the first drafts it receives from the maritime Custom-Houses; and the Commissioner, on his part, if he should have received more than is necessary for paying off the yearly amount of the capital, and the interest agreed upon, shall return the surplus to the Treasury.

IV. The Minister for Foreign Affairs of this Republic shall send to Her Britannic Majesty's Chargé d'Affaires a copy of the order which the Minister of Finance sends to the Collectors of the Custom-Houses in fulfilment of the preceding Article, which Article shall be considered as having been inserted in the present Convention, and shall form a part of the same.

V. The Mexican Government being desirous of giving unequivocal proofs of the justice and equity with which it intends to act in this arrangement, obliges itself to better the condition of its creditors, by increasing from the fifth year, counted from the present date, the interest granted for the capital, and the sum allotted for paying it off.

It consequently obliges itself to pay them 4 per cent. interest a-year, and to allow 6 per cent. a-year for paying off the capital from the end of the aforesaid fifth year, that is to say, that this increase is to take place from the beginning of the 6th year from the present date.

VI. As the Mexican Congress is about to pass a law for the purpose of paying off the internal debt, the persons interested in the present Convention are, all and each one, at liberty to

transfer their credits into the fund which may be created for the above purpose, making their intention known to the Minister for Foreign Affairs, who will communicate it to Her Britannic Majesty's Legation.

VII. It is especially stipulated and agreed, that, in the event of any part of the obligations contracted by the present Convention being broken through, or their fulfilment delayed or suspended by the Mexican Treasury, this Convention becomes *de facto* annulled, and the creditors are restored to the possession of the rights acquired in the Conventions and arrangements already existing.

In witness whereof we, the aforesaid Minister for Foreign Affairs and Her Britannic Majesty's Chargé d'Affaires, have signed and sealed the above Convention with our respective seals.

Done at Mexico, the 4th day of December, 1851.

(L.S.) JOSE F. RAMIREZ.

(L.S.) PERCY W. DOYLE.

**MEXICAN CUSTOM-HOUSE ORDER**, *which formed part of the Doyle and Padre Moran Conventions, of 4th\* and 6th† December, 1851, though not issued till 2 months after Ratification of those Conventions. Mexico, February 9, 1852.*

(Translation.)

*Department of Finance, Section 2, No. 37.*

To give full force and effect to the Conventions which were concluded respectively on the 4th and 6th of December, 1851, by Her Britannic Majesty's Chargé d'Affaires and Her Catholic Majesty's Envoy Extraordinary, in reference to the sinking funds and 3 per cent. interest, destined to pay off gradually certain British claims which have been recognized by the Government, as well as those of the Philippine missionaries, represented by the Rev. Francis J. Moran, and now in the hands of Mr. Rubio, his Excellency the President has been pleased to ordain that the General Treasury do make known to the Maritime Custom-Houses that 12 per cent. of the import duties is to be set apart for the present requirements of the sinking funds and interest of both Conventions, the amount produced by this 12 per cent. to be remitted without any kind of delay to the General Treasury by bills payable, as the Custom-House tariff directs, in favour of Messrs. Martinez del Rio, the appointed agents of the respective creditors, who will receive these bills from the Treasury, and apply them to the purposes for which they are intended, the Treasury having, previous to their liquidation, taken an account of the several sums thus handed over for the payment of the above mentioned credits.

Owing to the present state of Yucatan, it will be impossible

\* See Page 642.

† Convention. Spain and Mexico. December 6, 1851. See State Papers. Vol. 41. Page 745.

for the moment to set aside 12 per cent. of import duties in the Maritime Custom-Houses of Campeche and Sisal, as this would tend to diminish the resources required for the maintenance of the troops now engaged in the Yucatan war, and consequently his Excellency the President has further ordained that, until the said Custom-Houses are in a position to make this assignment of 12 per cent., they are simply to notify to the Treasury every month the amount that it has actually produced, and the equivalent will then be paid from the free portion of the revenue at the Custom-House of Vera Cruz.

The President wishes that the stipulations of the above-mentioned Conventions should be carried out in a manner befitting the national honour; the authorities, therefore, of the several Custom-Houses must be especially enjoined punctually to carry out the conditions of this order, and in no case to employ for other purposes the moneys belonging to the Convention funds, as any omission or shortcomings on their part would cause his Excellency displeasure, and oblige him to act accordingly.

All which I am commanded to communicate to the General Treasury for their guidance in carrying into effect the above order.

God and liberty !

M. DE ESPARZA.

*To the Commissioners of the General Treasury.*

*AGREEMENT between Great Britain and Mexico, for the payment of the Deficit due on British Claims (Convention Bondholders). Signed at Mexico, November 27, 1852.*

IN virtue of the Convention signed on the 4th of December, 1851,\* between the Minister for Foreign Affairs of the Mexican Republic and Her Britannic Majesty's Chargé d'Affaires in that Republic, it was agreed that 12 per cent. of the sums received at the Maritime Custom-Houses should be set apart for the payment of the 3 per cent. interest and of 5 per cent. destined to pay off the capital of the sums included in that Convention, and that "if at the end of the year, the amounts due for interest and for paying off the capital should not be covered, the General Treasury, without waiting for any further orders, was to pay the amount due with the first drafts it received from the Maritime Custom-Houses."

It has been ascertained that, in consequence of the revolutionary movements which have been for some time existing, and which unfortunately still exist in various parts of the Republic, there will be a large deficit on the 4th proximo in the amount necessary to pay the sums stipulated upon in the

\* See Page 642.

aforesaid Convention. With the view, however, of proving the entire good faith with which the Mexican Government is resolved to carry the Convention of the 4th of last December into effect, and which has been partially delayed on the present occasion by the unforeseen circumstances above-mentioned, a formal Conference by previous appointment took place this day in the office of Foreign Affairs, the Minister of that department, the Minister of Finance, and Her Britannic Majesty's Minister Plenipotentiary being present, when the following agreement was come to, namely :

That for the payment of the sums which may be ascertained to be due in the liquidation to be made on the 4th of next December, of the 3 per cent. interest, and of the 5 per cent. destined to pay off the capital under the English Convention, there be set apart from that date a further sum of 3 per cent. of the import duties in the Maritime Custom-Houses of Vera Cruz, Tampico, Acapulco, Manzanillo, Altata, and Guaymas, and in those of San Blas and Mazatlan, as soon as they return to the obedience they owe to the General Government.

This increase of 3 per cent. will cease as soon as the deficit is made good.

Mexico, November 27, 1852.

MAR. YANEZ.

PERCY W. DOYLE.

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PROTOCOL of Conference between Great Britain and Mexico, respecting British Claims. Signed in the English and Spanish Languages, at Mexico, August 10, 1858.

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AT a Conference held between the Undersigned Minister Plenipotentiary of Her Britannic Majesty and the Minister for Foreign Affairs of the Mexican Republic, with the object of drawing up in due form the new arrangement relative to the carrying out the Convention of 4th December, 1851,\* for the payment of claims of British subjects against the National Treasury which, by approval and sanction of his Excellency the Acting President of the Republic, were agreed to on the 31st of last month in conformity with the contents of the confidential note addressed by the latter to the former on the same date; bearing in mind the previous circumstances of this transaction, the explanations in various Conferences with reference thereto, the statement given in writing on the 23rd of the same month by Messrs. Martinez del Rio Brothers as parties interested in the said Convention, and agents thereof, and, moreover, all that which was stated verbally by Mr. Martinez del Rio in the last Conference as to the losses and injuries sustained in consequence of the delays and want of

\* See Page 642.



punctuality in the payments, the large amount which on this account is due to them, and the rights to which in virtue of the said Convention they are entitled, especially those conceded by Article VII of which they might take advantage, as the case provided against has now arisen; being desirous of not carrying matters to this extremity, but, on the contrary, to conciliate in as much as possible the interests of the creditors with the distressed position of the national finances in consequence of the circumstances in which the country now finds itself, and profiting by the favourable disposition always evinced by the said creditors, and at the same time the Government being, on their part, animated by the most sincere desire to protect in as far as it be in their power the interests of British subjects, have agreed as follows :

ART. I. For the exact fulfilment, strict observance, and inviolability of the Convention of the 4th December, 1851, regarding British claims, and with the view of repairing in some degree the injuries sustained by the parties therein concerned, from the want of punctual payment of the quotas assigned, all dividends which, from this time forward, shall be declared on account of interest, shall be so at the rate of 6 per cent. per annum in lieu of 3 and 4, as hitherto stipulated.

II. The payments will continue to be made on the terms stipulated in the aforesaid Convention, setting aside for that purpose the assigned quota of 16 per cent. of the import duties of the Maritime Custom-Houses without any alteration or change whatever, and remitting the same in bills, as agreed upon, for delivery to Messrs. Martinez del Rio Brothers.

III. The amounts which have been omitted to be paid to the parties interested, and to which they have a just and indisputable right, will be made good to them whenever the Government shall possess sufficient means, it being impossible to effect this at the present moment in consequence of their urgent necessities and limited resources.

IV. The aforesaid Convention of the 4th of December, 1851, and all the provisions necessary for its exact fulfilment, remain in full force and vigour, without further alteration or change than what is expressly laid down and stipulated in the present Agreement as to the increase of interest, without its being in any way thereby understood to be modified, changed, altered, or with less force and vigour than heretofore, inasmuch as that which is now agreed to is for the sole object and purpose, as already stated, of confirming and ratifying the inviolability and punctual observance thereof; it will consequently hold the same force as though it had been literally inserted in the same, and Article VII thereof extended in the present Agreement.

In witness whereof we, the said Minister Plenipotentiary of Her Britannic Majesty and Minister for Foreign Affairs of the

Republic of Mexico, have signed the present Protocol, and have affixed thereto our respective seals.

Done, in the city of Mexico, on the 10th of August, 1858.  
(L.S.) J. M. DE CASTILLO Y LANZAS. (L.S.) L. C. OTWAY.

*AGREEMENTS entered into with the Constitutional Authorities at Vera Cruz, by Captain Aldham, R.N., relative to the Claims of British Bondholders on Mexico. January, February, 1859.*

*Captain Dunlop R.N., to Señor Zamora.*

*January 24, 1859.*

THE Undersigned, Captain of Her Britannic Majesty's ship *Tartar*, commanding the British naval forces in the Gulf of Mexico, having already laid before the chief authorities the various grievances which Her Britannic Majesty's Government require to be redressed by the Party now in possession of Vera Cruz, in his letters of the 31st December and 7th January, addressed to his Excellency Don Manuel Gutierrez Zamora, the justice of which his Excellency has admitted, has now the honour to inform his Excellency that in order to remove the just indignation with which Her Majesty's Government has viewed the frequent infringement of the rights of British subjects in Mexico, and to bring this question of grievances to a prompt and satisfactory termination, the Undersigned submits for ratification the Articles herewith appended.

ART. I. That a Representative of the British creditors, to be named by Her Majesty's Minister in Mexico, be appointed at each of the Custom-Houses under the control of the Party now in possession of Vera Cruz, whose duty it will be to attend to the punctual and full payment of the assignments to the British creditors, viz.:

To be charged on the whole Customs Revenue 16 per cent. for the Diplomatic Convention Debt:

25 per cent. for the Mexican Bondholders in London;

And that to enable the representative of the creditors to discharge his duty faithfully, he shall at all times have access to the Custom-House books and papers, and the right to call for written explanations whenever he may consider such necessary for the interests of the creditors.

II. That an exact account be given to Her Majesty's Consul, within 15 days of the date hereof, of the British Convention assignments for the year 1858.

III. That a monthly statement of the liquidation of the British Convention assignments at the Custom-House of Vera Cruz be given to Her Majesty's Consul in that city.

IV. That a formal engagement be given that a similar monthly statement will be transmitted to Her Majesty's

Consul at Vera Cruz, or to the person he may appoint to receive the same on his behalf, from all the Custom-Houses under the control of the Party now in possession of Vera Cruz.

V. Immediate payment of all arrears on the British debt, or an additional assignment of 10 per cent. on the Free Customs Revenue, until the entire arrears both of interest and sinking fund are paid, without prejudice to the punctual and full payment of the 16 per cent. and 25 per cent. already referred to.

VI. That the Tariff of 1856 be immediately put in force and adhered to, especially Article X of the same. That a Decree to that effect be published in the "Gazette" of Vera Cruz.

VII. The immediate payment to Her Majesty's Consul at Vera Cruz of 7,000 dollars due to the London bondholders, which was diverted from its proper channel.

VIII. That the authorities in possession of Vera Cruz insist upon the assignments to the British creditors being punctually and fully paid at Tampico to the agent for the debt; and in case of failure to do so, the claim to be made good from the Custom-House at Vera Cruz at the expiration of one month's notice.

IX. A Decree to be published in the "Gazettes" of Vera Cruz and Tampico severely censuring the conduct of Don Juan José de la Garza, Governor of Tamaulipas, for the illegal and violent treatment of Messrs. Jolly and Hazeon, British subjects at Tampico, by his order; and a formal assurance published in the same "Gazettes" that in future the Treaty between Great Britain and Mexico shall be formally and scrupulously observed, and especially in all that relates to the protection of British subjects, in all places under the control of the Party now in possession of Vera Cruz.

X. The British flag to be saluted at Tampico with 21 guns, which salute will not be returned.

XI. The immediate payment to Her Majesty's Consul at Vera Cruz of the sum of 10,000 dollars, extorted from Messrs. Jolly and Hazeon by order of Governor Garza, and an additional sum of 2,500 dollars as indemnity to Mr. Hazeon for the treatment he received by order of the said Governor Garza.

XII. Should the Party now in possession of Vera Cruz be regularly recognized by the Foreign Powers as the Supreme Government, the Articles preceding shall form the basis of a Diplomatic Convention.

XIII. Nothing herein contained shall be considered definitive until after complete reparation has been given at Tampico.

XIV. These Articles to be formally accepted, and ratified by due authority on behalf of the Party now in possession of Vera Cruz, and copies of the same exchanged within 3 days from the delivery thereof.

Executed and signed on board Her Britannic Majesty's ship *Tartar*, off Sacrificios, this 24th day of January, 1859.

HUGH DUNLOP.

*Señor Zamora to Captain Dunlop, R.N., January 28, 1859.*

[A COPY of this letter has not been received in the Foreign Office, but the tenor of it is sufficiently apparent from the answer returned to it by Captain Dunlop on the 2nd of February.]

*Captain Dunlop, R.N., to Señor Zamora.*

*Tartar, off Sacrificios, February 2, 1859.*

THE Undersigned, Captain of Her Britannic Majesty's ship *Tartar*, commanding the British naval force in the Gulf of Mexico, has the honour to acknowledge the receipt of his Excellency Don Manuel Gutierrez Zamora's note of the 28th January, and has to express his satisfaction at finding that his Excellency, on behalf of the party now in possession of Vera Cruz, has at once acceded to all the demands for the redress of the British contained in the note addressed by the Undersigned to his Excellency on the 24th January, with the exception of those set forth in Articles I and V of the said note; and the Undersigned, with a view to manifest the sense he entertains of his Excellency's desire to terminate this question promptly and satisfactorily, consents, on behalf of Her Majesty's Government, to modify those two Articles. With regard to Article I, in consequence of the representation made to the Undersigned by his Excellency Don Manuel Zamora that the appointment of an interventor or representative of the British creditors (with a right to call for and examine the Custom-House accounts whenever he should consider such necessary) would be in the greatest degree humiliating to the dignity of the authorities, as implying that they were suspected of being capable of falsifying the monthly statement of the liquidation of the British assignments which is in future to be rendered from all the Custom-Houses now under the control of the party in possession of Vera Cruz, and having received from Señor Zamora his word of honour that instructions will be given to the administrators of the Custom-Houses to afford every possible facility at all times to Her Majesty's Consuls in the different ports to compare and verify these mensual statements, when he shall consider such necessary to rectify or clear up any part of the same which he may not clearly understand,—the Undersigned consents to relinquish the demand he made for the appointment of a representative of the creditors, and to accept in lieu thereof the assurance given by his Excellency that the British creditors will be punctually and fully paid without the intervention of a special agent for the creditors.

With respect to Article V of the note addressed by the Undersigned to his Excellency Don Manuel Zamora of the 24th



January, wherein it is proposed that 10 per cent. on the whole free Customs revenue shall be set apart for the payment of the arrears of interest and sinking fund on the British debt, in lieu thereof, the Undersigned consents to accept 8 per cent. on the free revenue received from all vessels (except French) until such time as the French arrears are paid, when 10 per cent. on all vessels except French shall in like manner be paid for the liquidation of the arrears on the British debt, until the whole of the French Convention debt is paid, when 10 per cent. upon all vessels (including French) shall be set apart for the liquidation of the British arrears of interest and sinking fund; and this payment first of 8 per cent., and then of 10 per cent., shall at no time interfere with the punctual and full payment of the 16 per cent. and 25 per cent. due to the British creditors upon the whole Customs of revenue.

With respect to Article XI of the same note, the Undersigned having received information from Her Majesty's Consul at Tampico that a portion of the money extorted from Messrs. Jolly and Hazeon has already been repaid, and that the sum of 4,453 dollars is required to liquidate the whole amount, the Undersigned consents that the said sum of 4,453 dollars shall be paid into the hands of Her Majesty's Consul at Vera Cruz within one month from the 1st day of the present month of February, in lieu of the 10,000 dollars specified in the said note of the 24th January; the said sum of 4,453 dollars not to be deducted from the 8 per cent. set apart for the payment of the British arrears.

The Undersigned, &c.

HUGH DUNLOP.

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*Señor Zamora to Captain Dunlop, R.N.*

(Translation.)

*Vera Cruz, February 7, 1859.*

THE Undersigned, Constitutional Governor of Vera Cruz, authorized by his Excellency the Constitutional President *ad interim* of the Mexican Republic to act as the channel of communication between his Excellency and Captain Dunlop, in command of the British naval force in the Gulf, in the negotiation now set on foot for the discussion of the claims presented on behalf of British subjects by the Government of Her Majesty, has the satisfaction of stating to Captain Dunlop himself, in reply to his courteous note of the 2nd instant, that, with reference to the points discussed and conceded in the various communications which have passed on this subject, he agrees, in the name of his Excellency the President aforesaid, to the following stipulations; his Excellency being bound to fulfil and maintain the same, and this assurance the Undersigned, in his quality of the mouthpiece of his Excellency, solemnly gives:

1. The Custom-House of this port shall make out and deliver to Her Britannic Majesty's Consul, in compliance with the order to that effect which has been issued to it, an exact account of the British Convention assignments for the year 1858.

2. The Custom-House of this port, as well as the other Custom-Houses under the direction of the Constitutional Government, having its seat at present in Vera Cruz, shall make out and deliver to Her Britannic Majesty's Consul at that port, or to persons authorized by him, monthly statements of the entries made in the said offices.

3. The British creditors' assignments shall be paid punctually and in full, the Constitutional Government having taken measures to carry out this obligation with the most entire good faith.

4. Besides the payment of the 16 per cent. due to the English Convention, and of the 25 per cent. belonging to holders of Mexican bonds in London, there shall be now set apart 8 per cent. of the Custom-House dues on foreign vessels (with the exception of French vessels, which are already very heavily taxed) for the payment of arrears of interest, and for the sinking fund of the British Convention.

5. As soon as the arrears due on the French Convention have been paid off, as well as the credits pending on account of orders for payment made out in favour of French subjects up to the 17th of December, 1857, and whatever sum may be agreed upon as indemnification for French subjects by the arbitrators who are shortly to meet, in accordance with the stipulation made on this head by Rear-Admiral Pénaud, all which amounts are to be met by another 8 per cent. on the import duties (French vessels being, as before, exempted from their payment), the new assignment treated of in the preceding stipulation for the settlement of the arrears of the British Convention shall be raised to 10 per cent.; it being, however, understood that in this assignment French vessels are not to be made to pay.

6. As soon as the French Convention debt has once been wholly paid off, the 10 per cent. on the import duties above mentioned shall be set aside for the payment of the arrears on the Convention of Great Britain, and in this case the dues paid by the French vessels shall be allotted to the purpose.

7. The amount now due to the holders of Mexican bonds in London, and which was left unpaid in September last, shall be paid.

8. The Government of Vera Cruz will continue using every effort to enforce the payment of the British assignments by the Custom-House of Tampico, and should it not make that payment, as the Tampico Custom-House is under the orders of its own Government, the payment shall be made in this place.

9. The sum of 4,453 dollars, still owing on the whole amount exacted at Tampico from Messrs. Jolly and Hazeon,

shall be paid, and this payment shall be made within one month from the 1st instant into the hands of Her Britannic Majesty's Consul at this port, unless it should have been previously made in Tampico. This sum shall not be deducted from the 8 per cent. mentioned in the 4th stipulation.

10. Should his Excellency the Constitutional President *ad interim* of the Republic come into possession of the capital, as his right to do so and the wish of a majority of the nation leads us to hope, he will maintain, as appears to him just, the stipulations to which he has now agreed; but he declares that with regard to those stipulations ever serving as the base of a future Diplomatic Convention, he thinks it proper to reserve to himself, and does in fact reserve, the natural right, should such negotiations be regularly and duly instituted, of discussing the nature of any such Convention.

*Explanatory Note.*—In these stipulations no credit is taken for the points referred to in Articles VI, IX, X, and XI, of the note addressed by the Undersigned to the Commander of Her Britannic Majesty's naval force on the 28th of January last, viz.:

6. For annulling the Decrees of this Government of January 15 and March 15, 1858, and leaving in force, in all its points, the Frontier and Maritime Custom-House tariff issued in 1856;

9. For the publication of a circular censuring his Excellency General Garza, of Tampico, for his conduct towards British subjects;

10. For the salute which is about to be given in Tampico to the British flag; and

11. For the payment of 2,500 dollars as indemnification to Mr. Hazeon for the outrages out of which his claim resulted;—as the decisions come to upon these points have been satisfactorily put into execution by mutual consent, and may now be considered as terminated.

MANUEL G. ZAMORA.

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*Captain Dunlop R.N., to Señor Zamora.*

*Tartar, off Sacrificios, February 8, 1859.*

THE Undersigned has the honour to acknowledge the receipt of his Excellency, Don Manuel Gutierrez Zamora's note of the 7th instant, in which his Excellency, in the name of the party now in possession of Vera Cruz, agrees to and undertakes to carry into effect the Articles contained in the note addressed by the Undersigned to his Excellency of the 24th of January, with the modification of Articles I and V of the said note, as agreed to by the Undersigned in his supplementary note of the 2nd of February.

The Undersigned has the honour to call his Excellency's attention to an omission in Article I of the note of the 7th instant, viz., that the account of the British Convention Assignments for the year 1858 is to be rendered to Her Majesty's Consul, within the specified period of 15 days.

As the Undersigned believes that this omission was accidental, in calling his Excellency's attention to it he hopes that he has done enough to ensure that the account will be sent to Her Majesty's Consul without delay.

The Undersigned has much satisfaction in acquainting his Excellency that as soon as he receives the report of the Commander of the ship he has sent to Tampico, that the salute to the British flag has been duly rendered, the Undersigned will consider that there only remains the execution of those Articles that have not already been carried into effect, to terminate the question between Her Majesty's Government and the party now in possession of Vera Cruz.

In consequence of his Excellency's having used the term "Constitutional President of the Republic of Mexico," in the note which the Undersigned has the honour to acknowledge, the Undersigned feels it incumbent on him to remind his Excellency that, in the correspondence which he has had the honour to hold with his Excellency, the Undersigned has never acknowledged, nor does he now acknowledge, any such person, and he addresses himself to his Excellency as one of a party which is in possession of Vera Cruz, and certain other seaports.

The Undersigned, &c.

HUGH DUNLOP.

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*Terms agreed upon between Captain Aldham, R.N., and Señor Ocampo, for payment of Convention and Loan Interest and Arrears.*  
(Translation.)

MEMORANDUM of the terms which the Undersigned, Minister for Foreign Affairs, invites Captain W. C. Aldham to propose to the Government of Her Britannic Majesty, for the purpose of terminating the difficulties which have arisen in consequence of the infraction of the Dunlop Convention at the ports of Vera Cruz and Tampico :

1. An additional 10 per cent. on all import duties, from all vessels, shall be assigned at the Custom-Houses of Vera Cruz and Tampico, to repay the sums withheld in both ports during the present year; and when these sums are paid up, the said new assignment of 10 per cent. shall cease, and return to the National Treasury.

2. The payment of the assignments shall commence on the 1st of January, 1861, excepting that of the new 10 per cent., which shall not commence until the 1st February, by which time the Sea Custom-House of this port shall furnish Her Majesty's Consul with a complete and exact statement of the sums unpaid by it during the whole of the present year.

A similar specific and exact statement shall be furnished to Her Majesty's Consul by the Custom-House of Tampico, in the whole month of January next, of the sums of the same kind which the said Custom-House shall have kept unpaid during the whole year.



3. The Government engages solemnly not to tolerate in future the violation of the present or the Dunlop Convention, and to remove from office any officer or public employé appertaining to or dependent on it who shall again attempt to infringe the present arrangement, or that of Captain Dunlop; and with regard to those functionaries whose removal or punishment does not depend on the Federal power, the Government engages to urge the necessary measures for their punishment upon the Tribunals empowered to take cognizance of their acts.

M. OCAMPO. W. CORNWALLIS ALDHAM.

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CONVENTION *between Great Britain and Mexico, for the Investigation and Settlement of British Claims by a Mixed Commission. Signed in the English and Spanish Languages at Mexico, June 26, 1866.\**

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HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of Mexico, being desirous, in consideration of the friendly relations which subsist between the two countries, of fixing the mode of arriving at an equitable settlement of such claims of Her Britannic Majesty's subjects as are still pending, have resolved to conclude a Convention with that object, and for that purpose have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Peter Campbell Scarlett, Companion of Her Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary to the Emperor of Mexico; and His Majesty the Emperor of Mexico, Don Tomás Murphy, Councillor of State, Grand Officer of the Imperial Order of Guadalupe, Grand Cross of the Orders of the Iron Crown, of the Red Eagle, and of Philip the Magnanimous, and Commander of that of Francis Joseph;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:

ART. I. All claims of British subjects which have already been presented to the Mexican Government, as well as any others which may be presented within the time to be fixed in accordance with the stipulations contained in Article III, save those which are excepted by Article VI of the present Convention, shall be referred for the purpose of proving their validity and settling the amount to be paid to 4 Commissioners appointed in the following manner, that is to say:

Two Commissioners shall be appointed by Her Britannic Majesty's Representative in Mexico, and the other two by the Government of the Emperor, with the understanding that the said Commissioners shall have no claims of their own, and that they shall not represent any one of the claimants.

\* Ratifications exchanged at Mexico, November 19, 1866.

In case of the death, absence, or incapacity of either or both of the Commissioners, or in the event of either or both of them omitting or ceasing to act as such, Her Majesty's Representative, or the Government of Mexico, as the case may be, shall forthwith name another person or persons to replace the Commissioner or Commissioners originally appointed.

The Commissioners so appointed shall meet at Mexico at the earliest convenient period after they shall have been respectively appointed, and, before proceeding to discharge their functions, shall make and subscribe a solemn declaration that they will impartially and scrupulously examine all the claims which are submitted to them, and decide upon them according to conscience, and principles of justice and equity. This declaration shall be entered on the record of their proceedings.

Before the meeting of the Commissioners, the Representative of Her Britannic Majesty at Mexico, and the Mexican Government, shall select some third person who shall be neither a British nor a Mexican subject, in order that, in the character of Arbitrator or Umpire, he may act in any case or cases in which the Commissioners may differ in opinion.

This third person, selected as Arbitrator or Umpire, before entering into the exercise of his functions, shall be requested to make and subscribe a solemn declaration in the same form as the one made and subscribed by the Commissioners, which shall be alike entered on the record of their proceedings.

In the event of the death, absence, or incapacity of such person, or if by omission, resignation, or any other cause, he should cease to act as such Arbitrator or Umpire, another person shall be appointed in his stead, who shall replace him in the same capacity, such person being required to make and subscribe the above-mentioned declaration.

II. The Arbitrator having been appointed, the Commissioners shall proceed to examine and determine the claims which may be presented to them, as well as to determine the amount justly due for each of them separately, with the understanding that the parties interested shall establish their rights, either by means of the legal investigation which may have been instituted with regard to the facts upon which their claims are founded, or, in default of such investigation, by means of the declarations of trustworthy witnesses of the facts referred to. It is equally to be understood that only such claims shall be admitted for which the Mexican Government is responsible in accordance with generally admitted principles of international law, and which are in origin, continuity, and actuality British.

The said Arbitrator or Umpire shall be bound to give his decision, which shall be final, on any claim or matter referred to him within the term of 15 days, reckoned from the date on which it was submitted to his consideration, unless he or the

Commissioners should consider a longer period of time to be absolutely necessary.

III. The Commissioners shall fix a reasonable time, which shall not exceed one year, within which all claims must be submitted to them, and they shall give public notice of the period so fixed.

They shall announce, besides, that the said period shall be extended for 12 months more for the reception of claims which, on account of special circumstances, could not be presented within the time previously fixed, provided that it be proved to the satisfaction of the Commissioners that such circumstances were entirely beyond the control of the claimant, and were unavoidable.

The Commissioners shall be bound to examine every claim and decide upon it, within the term of one year from the date of its presentation, unless, from some unforeseen cause, the sittings may have been suspended, in which case Her Britannic Majesty's Representative and the Imperial Government may agree to extend the period.

The Commissioners shall hold, for the examination of the claims, at least 8 sittings each month, from the date of their first sitting until the completion of their labours.

It shall be competent to the Commissioners conjointly, or to the Umpire if they differ, to decide, in each case, whether any claim has or has not been duly made, preferred, or laid before them, either wholly, or to any, and what extent.

IV. The proceedings of the Commission shall be final and conclusive with respect to the claims brought before it, and the Commissioners shall issue to the interested parties, certificates of the sums to be paid by virtue of their award, or of that of the Arbitrator.

V. The Government of His Majesty the Emperor of Mexico shall constitute itself responsible for the payment of the total amount awarded to the claimants, according to the certificates of the Commissioners.

The mode and period of payment shall be subsequently agreed between Her Britannic Majesty's Representative at Mexico and the Government of His Imperial Majesty.

VI. Such claims as may have been already recognized as valid by the Governments of Great Britain and Mexico, whether the payment of the same be secured, or not, by specific guarantees, shall not be subject to the revision of the Commission.

With respect to those which are provided for as already mentioned, whatever may have been agreed upon between the two Governments shall be observed. With regard to those which are not, ulterior arrangements shall be entered into for the mode of their payment, which shall have precedence over that of those which are the object of the present Convention.

VII. The Commission to be established shall keep an accurate record in English and Spanish of its proceedings, and may appoint a Secretary on each side, to assist it in the transaction of its business.

VIII. The salary of the Commissioners and of the Secretaries shall be fixed and paid by their respective Governments.

The contingent expenses, and those which may be occasioned by arbitration, shall be defrayed in moieties by the two Governments.

IX. The present Convention shall be ratified, and the ratifications shall be exchanged at Mexico, as soon as may be, within 6 months from the date hereof.

In witness whereof, the above-mentioned Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at Mexico, the 26th day of June, 1866.

(L.S.) TH. MURPHY.

(L.S.) P. CAMPBELL SCARLETT.

## MOROCCO.

CONVENTION *between Great Britain, Austria, Belgium, Spain, the United States of America, France, Italy, Netherlands, Portugal, and Sweden, on the one part; and the Sultan of Morocco, on the other part; relative to the Establishment and Maintenance of a Lighthouse on Cape Spartel. Signed in the French and Arabic Languages, at Tangiers, May 31, 1865.\**

AU Nom de Dieu Unique. Il n'y a de force et de puissance qu'en Dieu.

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, Sa Majesté l'Empereur d'Autriche, Roi de Hongrie et de Bohême, Sa Majesté le Roi des Belges, Sa Majesté la Reine d'Espagne, Son Excellence le Président de la République des Etats Unis d'Amérique, Sa Majesté l'Empereur des Français, Sa Majesté le Roi d'Italie, Sa Majesté le Roi des Pays Bas, Sa Majesté le Roi de Portugal et des Algarves, Sa Majesté le Roi de Suède et de Norvège, et Sa Majesté le Sultan du Maroc et de Fez, animés d'un égal désir d'assurer la sécurité de la navigation sur les côtes du Maroc, et voulant pourvoir d'un commun accord aux mesures les plus propres à atteindre ce but; ont résolu de conclure une Convention spéciale, et ont à cet effet nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, Sir John Hay Drummond Hay, Commandeur du Très Honorable Ordre du Bain, son Ministre Résident près Sa Majesté le Sultan du Maroc;

\* Ratifications exchanged at Tangiers, February 14, 1867.



Sa Majesté l'Empereur d'Autriche, Roi de Hongrie et de Bohême, Sir John Hay Drummond Hay, Commandeur du Très Honorable Ordre du Bain, son Agent-Général *ad interim* près Sa Majesté le Sultan du Maroc ;

Sa Majesté le Roi des Belges, le Sieur Ernest Daluin, Chevalier de son Ordre de Léopold, Commandeur de Nombre de l'Ordre d'Isabelle la Catholique d'Espagne, Commandeur de l'Ordre du Nichan Eftikhar de Tunis, son Consul-Général à la côte Occidentale d'Afrique ;

Sa Majesté la Reine d'Espagne, Don Francisco Merry y Colom, Grand-Croix de son Ordre d'Isabelle la Catholique, Chevalier de l'Ordre de St. Jean de Jérusalem, décoré de l'Ordre Impérial Ottoman du Medjidie de la troisième classe, Officier de l'Ordre de la Légion d'Honneur, &c., Son Ministre Résident près Sa Majesté le Sultan du Maroc ;

Son Excellence le Président de la République des Etats Unis, le Sieur Jesse Harland McMath, Esquire, son Consul-Général près Sa Majesté le Sultan du Maroc ;

Sa Majesté l'Empereur des Français, le Sieur Auguste Louis Victor Baron Aymé d'Aquin, Officier de la Légion d'Honneur, Commandeur de l'Ordre de François I des Deux Siciles, Commandeur de l'Ordre des Saints Maurice et Lazare d'Italie, Commandeur de l'Ordre du Christ de Portugal, Commandeur de l'Ordre du Lion de Brunswick, Chevalier de l'Ordre de Constantin des Deux Siciles, Chevalier de l'Ordre des Guelphes de Hanovre, Son Ministre Plénipotentiaire près Sa Majesté le Sultan du Maroc ;

Sa Majesté le Roi d'Italie, le Sieur Alexandre Verdinois, Chevalier de son Ordre des Saints Maurice et Lazare, son Agent, et Consul-Général d'Italie près Sa Majesté le Sultan du Maroc ;

Sa Majesté le Roi des Pays-Bas, Sir John Hay Drummond Hay, Commandeur du Très Honorable Ordre du Bain, Gérant le Consulat-Général des Pays-Bas au Maroc ;

Sa Majesté le Roi de Portugal et des Algarves, le Sieur José Daniel Colaço, Commandeur de son Ordre du Christ, Chevalier de l'Ordre de la Rose du Brésil, son Consul-Général près Sa Majesté le Sultan du Maroc ;

Sa Majesté le Roi de Suède et de Norvège, le Sieur Selim d'Ehrenhoff, Chevalier de son Ordre de Wasa, son Consul-Général près Sa Majesté le Sultan du Maroc ;

Et Sa Majesté le Sultan du Maroc et de Fez, le lettré Sid Mohammed Bargash, son Ministre des Affaires Etrangères ;

Lesquels, après avoir échangé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :

ART. I. Sa Majesté Schérifiennne ayant, dans un intérêt d'humanité, ordonné la construction, aux frais du Gouvernement Marocain, d'un phare au Cap Spartel, consent à remettre, pour

toute la durée de la présente Convention, la direction supérieure et l'administration de cet établissement aux Représentants des Puissances Contractantes. Il est bien entendu que cette délégation ne porte aucune atteinte aux droits de propriété et de souveraineté du Sultan, dont le pavillon sera seul arboré sur la tour du phare.

II. Le Gouvernement Marocain ne possédant actuellement aucune marine, soit de guerre, soit de commerce, les dépenses nécessaires pour l'entretien et l'administration du phare seront supportées par les Puissances Contractantes au moyen d'une contribution annuelle dont la quotité sera égale pour chacune d'elles; si, plus tard, le Sultan venait à posséder une marine militaire ou marchande, il s'engage, à prendre part aux dépenses dans la même proportion que les autres Puissances signataires. Les frais de réparation, et au besoin de reconstruction, seront d'ailleurs à sa charge.

III. Le Sultan fournira, pour la sureté du phare, une garde composée d'un Kaid et de quatre soldats. Il s'engage en outre à pourvoir par tous les moyens qui dépendent de lui, même en cas de guerre, soit intérieure soit extérieure, à la conservation de cet établissement, ainsi qu'à la sécurité des gardiens et employés.

D'un autre côté, les Puissances Contractantes s'engagent, chacune en ce qui la concerne, à respecter la neutralité du phare, et à continuer le paiement de la contribution destinée à son entretien, même dans le cas où (ce qu'à Dieu ne plaise) des hostilités viendraient à éclater, soit entr'elles, soit l'une d'elles et le Royaume de Maroc.

IV. Les Représentants des Puissances Contractantes, chargés, en vertu de l'Article I de la présente Convention, de la direction supérieure et de l'administration du phare, établiront les règlements nécessaires pour le service et la surveillance de cet établissement, et aucune modification ne pourra être ensuite apportée à ces règlements que d'un commun accord entre les Puissances Contractantes.

V. La présente Convention demeurera en vigueur pendant 10 années. Dans le cas où, 6 mois avant l'expiration de ce terme, aucune des Hautes Parties Contractantes n'aurait, par une déclaration officielle, annoncé son intention de faire cesser, en ce qui la concerne, les effets de la Convention, elle restera en vigueur pendant une année encore, et ainsi de suite, d'année en année, jusqu'à dû dénonciation.

VI. L'exécution des engagements réciproques contenues dans la présente Convention est subordonnée, en tant que de besoin, à l'accomplissement des formalités et règles établies par les lois constitutionnelles de celles des Hautes Parties Contractantes qui sont tenues d'en provoquer l'application, ce qu'elles s'obligent à faire dans le plus bref délai possible.

VII. La présente Convention sera ratifiée, et les ratifications en seront échangées à Tanger aussitôt que faire se pourra.

En foi de quoi les Plénipotentiaires respectifs l'ont signée, et y ont apposé le cachet de leurs armes.

Fait en double original, en Français et en Arabe, à Tanger la protégée de Dieu, le 15ème jour de la lune de Moharrem, l'an de l'Hégire 1282, qui correspond au 31 du mois de Mai, de l'année 1865.

(L.S.) J. H. DRUMMOND HAY.  
 (L.S.) J. H. DRUMMOND HAY.  
 (L.S.) ERNEST DALUIN.  
 (L.S.) FRANCISCO MERRY Y COLOM.  
 (L.S.) JESSE H. McMATH.  
 (L.S.) Ayme D'AQUIN.  
 (L.S.) A. DE VERDINOIS.  
 (L.S.) J. H. DRUMMOND HAY.  
 (L.S.) JOSE DANIEL COLACO.  
 (L.S.) S. D'EHRENHOFF.  
 (L.S.) (Arabic Signature of the Morocco  
 Plenipotentiary.)

## MUSCAT.

NOTIFICATIONS of the Sultan of Zanzibar, relative to the Slave Trade.

ORDER prohibiting the Embarkation of Slaves at Keelwa without a permit; such permit to be given to Natives only. 1863, 1864.

*Lieutenant-Colonel Playfair to Earl Russell.*—(Received January 15, 1864.)

My LORD, Zanzibar, October 5, 1863.

I HAVE the honour to report, that in consequence of my representations to His Highness Seyed Majid, the slave-dealers, foiled in their endeavours to obtain cargoes of slaves in Zanzibar with the same facility as formerly, having transferred their operations to Keelwa, His Highness has issued the following orders:

1. The Governor of Keelwa is instructed to allow no boats to embark slaves at that port, without a special permit from the Zanzibar Custom-House.

2. This permit is to be given to none save actual natives of His Highness's dominions.

3. Slaves embarked with permission are only to be conveyed to Zanzibar.

This order, if strictly obeyed, will go far towards confining the Slave Trade within the limits allowed by Treaty.

I have, &c.

Earl Russell.

R. L. PLAYFAIR.

NOTIFICATION, *prohibiting the Transport of Slaves, between 1st of January and 1st of May. January 1, 1864.*

(Translation.)

To all whom it may concern.

KNOW that we have ordained that no owners of boats shall transport slaves in their boats from any part of our dominions during the Moosum, from this date till the 250th day of Nowroz (*i.e.* from January 1 till May 1). Whoever breaks this order shall have his property confiscated, and shall be considered deserving of punishment.

Dated 20 Rejub, 1280 (January 1, 1864).

MAJID BIN SAEED.

NOTIFICATION, *forbidding Householdors to rent Houses to Northern Arabs. January 1, 1864.*

(Translation.)

To all whom it may concern.

WE have ordered all our subjects not to rent their houses to the people of the north employed in stealing slaves. Whoever shall so rent his house shall break our command, and shall be deserving of punishment.

Dated 20 Rejub, 1280 (January 1, 1864).

MAJID BIN SAEED.

## NETHERLANDS.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Newspapers and other Printed Papers transmitted to the Netherlands, via France. May 16, 1864.*

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage payable by law on the transmission by the post of foreign or colonial letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act, passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act, passed in the

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.



18th year of the reign of Her Majesty, chapter 27,\* for amending the laws relating to the stamp duties on newspapers, and for providing for the transmission by post of printed periodical publications.

And whereas the Commissioners of Her Majesty's Treasury by a certain Warrant in writing under their hands, bearing date, at Whitehall Treasury Chambers, the 20th day of December, 1856,† reciting (amongst other things), that a Treaty had been then lately entered into between Her Majesty and the Emperor of the French, for regulating the communications by post between their respective dominions, and that it was expedient for the better carrying out of the same that certain regulations should be made in the manner thereafter mentioned, did, in exercise of the powers reserved to them in and by the said hereinbefore recited Acts of Parliament and every of them, and of all other powers enabling them in that behalf, order and direct that certain letters therein respectively mentioned, and also certain packets consisting of printed newspapers, and certain other packets consisting of printed papers other than newspapers, therein respectively mentioned, might be respectively transmitted by the post, in conformity with, and under and subject to certain regulations, orders, directions, and conditions, and at certain rates of postage therein respectively mentioned, contained, and specified. And the said Commissioners of Her Majesty's Treasury did further order and direct that it should be lawful for the Commissioners for the time being of Her Majesty's Treasury, by Warrant under their hands duly made, at any time thereafter to alter, repeal, or revoke any of the rates of postage thereby fixed, or any of the orders, regulations, conditions, and restrictions thereby made, and to make and establish any new or other rates, orders, regulations, conditions, and restrictions in lieu thereof, and from time to time to appoint at what time the rates which might be payable were to be paid.

And whereas a further Treaty or Convention hath been lately entered into between Her Majesty and the Emperor of the French, for further regulating certain communications by the post between their respective dominions, and it is expedient, for the better carrying out of the same, that certain further and other regulations should be made in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts of Parliament, and every or any of them, and of all other powers enabling us in this behalf, do, by this Warrant under the hands of two of us the said Commissioners, by the authority of the Statute in that case made and provided, order and direct as follows, that is to say:

1. On every packet consisting of printed newspapers, posted

\* See Vol. 10. Page 320. † See Vol. 10. Page 136.

in the United Kingdom, addressed to the Kingdom of the *Netherlands*, and forwarded *viâ France*, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid, for the transmission thereof respectively as aforesaid, the uniform single rate of postage of 2*d.*; and on every packet consisting of printed papers other than newspapers, posted in the United Kingdom, addressed to the Kingdom of the *Netherlands*, and forwarded *viâ France*, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid, for the transmission thereof respectively as aforesaid, the uniform single rate of postage of 4*d.*; and on every such packet consisting of printed newspapers, and on every such packet consisting of printed papers other than newspapers, respectively chargeable with postage under this clause, which shall exceed 4 ounces in weight, there shall be charged, taken, and paid, on and in respect of the said several and respective packets, such progressive and additional rates of postage as are hereinafter mentioned and contained relating thereto.

2. All such respective packets chargeable with postage under this Warrant shall be subject to the same or the like several progressive and additional rates of postage as are mentioned and contained in Clause 7 of the said recited Warrant, bearing date the 20th day of December, 1856, with respect to the several and respective packets in the said Clause 7 of the said last-mentioned Warrant mentioned and referred to.

3. The said recited Warrant, bearing date the 20th day of December, 1856, shall remain in force, except so far as the same, or any of the provisions thereof, have been altered or revoked by any Warrant or Warrants of the Commissioners of Her Majesty's Treasury, or by any regulations since made by the Postmaster-General, which Warrant or Warrants and regulations, and also the several orders, directions, regulations, and conditions in the said recited Warrant, bearing date the 20th day of December, 1856, and now in force, shall, so far as the same are not inconsistent with or repugnant to the provisions of this Warrant, be applicable thereto, and to the several provisions thereof, in like manner as if the same (not being inconsistent therewith or repugnant thereto), were herein respectively inserted, expressed, and repeated, with respect to all packets mentioned and contained in, and intended to be regulated by, this Warrant.

4. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as the like terms and expressions used in the said recited Warrant, unless the contrary shall be made to appear by the context.

5. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands duly made, at any time hereafter alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made,

and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

6. This Warrant shall come into operation on the 1st day of July, 1864.

Whitehall Treasury Chambers, the 16th day of May, 1864.

WM. DUNBAR.

LUKE WHITE.

ADDITIONAL CONVENTION *between the General Post Office of Great Britain and the General Post Office of The Netherlands.* Signed at <sup>London,</sup><sub>The Hague,</sub> September 11, 1864.

THE General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of the Kingdom of the Netherlands, being desirous of effecting, by means of an Additional Convention, a reduction in the rates of postage chargeable upon letters conveyed by the route of Belgium, between the United Kingdom and the Netherlands, and of making other alterations in the existing arrangements for the exchange of correspondence between the two countries.

The Undersigned, duly authorized for that purpose by their respective Governments, have agreed upon the following Articles:

ART. I. The total amount of postage to be collected in advance upon every single letter, not exceeding  $\frac{1}{2}$  an ounce British, in weight, posted in the United Kingdom, addressed to the Netherlands, shall be 3*d*.

Reciprocally, the total amount of postage to be collected in advance upon every single letter, not exceeding 15 grammes in weight, posted in the Netherlands, addressed to the United Kingdom, shall be 15 cents.

Letters exceeding  $\frac{1}{2}$  an ounce or 15 grammes in weight shall be charged with an additional rate of postage for each additional  $\frac{1}{2}$  ounce or fraction of  $\frac{1}{2}$  an ounce, when the postage is collected in the United Kingdom, or for each additional 15 grammes or fraction of 15 grammes, when the postage is collected in the Netherlands.

II. Upon unpaid letters there shall be levied on delivery, in addition to the progressive rate of postage specified in the preceding Article, a fixed charge of 3*d*. in the United Kingdom or 15 cents in the Netherlands.

Letters insufficiently prepaid by means of postage stamps shall be considered as unpaid and charged accordingly, after deducting the value of the stamps affixed.

III. The reciprocal transmission of the international correspondence mentioned in Articles I and II preceding shall not give rise to any accounts, each office shall retain the postage



which it collects, subject, however, to the repayment by the Netherland Office to the British Office of the transit postage to be paid to the Post Office of Belgium, on account of the transit of the letters sent from the Netherlands to the United Kingdom.

IV. The reduction authorized by Article I shall be also applied to all letters sent from the Netherlands in ordinary mails in transit through the United Kingdom to British colonies and Foreign countries, or sent from those colonies and countries to the Netherlands.

The same reduction shall be equally applied to all letters sent from the United Kingdom in ordinary mails in transit through the Netherlands to the States of the Continent, or sent from those States to the United Kingdom.

The conditions under which letters sent in transit through the United Kingdom to or from the Netherlands shall be exchanged between the British Post Office and the Netherland Post Office in conformity with the foregoing stipulations, are shewn in Table A, annexed to the present Articles.

V. For the letters sent through the United Kingdom in closed mails, in either direction between the Netherlands and the Netherland possessions in the East and West Indies, the Netherland Office shall account to the British Office on account of the territorial conveyance through the United Kingdom, as well as of the sea conveyance between the United Kingdom and the port at which those mails are delivered to or are received from the agent of the Netherland Office, at the rate of 2s. per ounce British, net weight.

The Netherland Office shall further account to the British Office for the transit postage to be paid to the office of Belgium on these letters.

VI. For the territorial conveyance through the Netherlands, of letters sent by the route of the Netherlands in closed mails, in either direction, between the United Kingdom and the States of the Continent, the British Office shall account to the Netherland Office at the rate of 10 cents per 30 grammes, Netherland money and weight.

VII. The present Articles shall be carried into effect on the 1st day of October, 1864.

VIII. These Articles shall be considered as additional to the Convention of the 14th day of October, 1843, with the modifications introduced by the Additional Convention of <sup>September 29,</sup><sub>October 10,</sub> 1854.\*

The provisions of both these Conventions are maintained in all cases where they are not contrary to the stipulations of the present Additional Convention.

Done in duplicate, in London, the 13th day of September, 1864, and at the Hague, the 16th day of the same month.

(L.S.) G. H. BETZ.

(L.S.) STANLEY OF ALDERLEY.

\* See Vol. 9. Page 983.



The rates marked thus † in 'columns 4 and 8 increase according to two different principles; 1d. out of each rate is chargeable for every 16 grammes; and the remainder for every ½ ounce. In all other cases the whole Rate is chargeable for every 15 grammes or ½ ounce, as the case may be.

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BRITISH TREASURY WARRANT *fixing the Rates of Postage on Letters transmitted to or from the Netherlands, and between the Netherlands and any British Colony or Foreign Country, through the United Kingdom. September 30, 1864.*

WHEREAS by an Act passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the regulation of the duties of Postage,"\* power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage, or inland postage, payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which might be payable were to be paid, and the power thereby given, to alter and fix rates of postage, was to extend to any increase, or reduction, or remission of postage.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her present Majesty, intituled "An Act for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office."†

And whereas it is expedient to alter the rates of postage now payable on certain letters transmitted by the post between the United Kingdom and the *Netherlands*.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the power or authority in us for such purpose vested in and by the said recited Acts of Parliament, or either of them, and of all other powers and authorities, enabling us in this behalf, do, by this Warrant (under the hands of two of us, the said Commissioners, by the authority of the statute in that case made and provided), order, direct, and declare as follows :

1. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight, transmitted by the post from any part of the United Kingdom addressed to any part of the *Netherlands*, or from any part of the *Netherlands* addressed to any part of the United Kingdom, and conveyed *viâ Belgium* direct by packet boat, and on every letter, not exceeding  $\frac{1}{2}$  an ounce in weight, transmitted by the post between any *Foreign* country through the *Netherlands*, and any part of the United Kingdom, and conveyed between the

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

United Kingdom and the *Netherlands*, viâ *Belgium* direct by packet boat, there shall be charged and taken, for the conveyance of such respective letters to or from the United Kingdom, and through the *Netherlands*, an uniform rate of postage of 3*d.*

2. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight, transmitted by the post from, or addressed to, any part of the *Netherlands*, and conveyed between the *Netherlands* and any of Her Majesty's colonies, or any *Foreign* country, through the United Kingdom, and on every letter not exceeding  $\frac{1}{2}$  an ounce in weight, transmitted by the post between any *Foreign* country, through the *Netherlands*, and any of Her Majesty's colonies, or any *Foreign* country, through the United Kingdom, the said respective letters being conveyed between the United Kingdom and the *Netherlands*, viâ *Belgium* direct, by packet boat, there shall be charged and taken a like uniform rate of postage of 3*d.* for the conveyance of every such letter from, or to, or through the *Netherlands* and any part of the United Kingdom; and for the conveyance of every such respective letter between the port in the United Kingdom of the departure or arrival of the packet-boat or vessel, not being a packet-boat conveying the same, and the colony or *Foreign* country to or from which the same shall be forwarded, such a further or additional rate of postage as shall from time to time be chargeable and payable for British postage on letters not exceeding  $\frac{1}{2}$  of an ounce in weight posted or delivered at the port in the United Kingdom of the departure or arrival of the packet-boat or vessel not being a packet-boat conveying the same, and transmitted direct between such port and any such colony or *Foreign* country: provided that in all cases where such additional rate includes both island and sea services there shall be deducted therefrom the sum of 1*d.* in respect of the inland conveyance, under this clause, of every such letter sent through the United Kingdom.

3. All such respective letters, so transmitted, as is mentioned in this Warrant, if exceeding  $\frac{1}{2}$  of an ounce in weight shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned; that is to say:

On every such letter, if exceeding  $\frac{1}{2}$  of an ounce in weight, and not exceeding 1 ounce in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such letter, if exceeding 1 ounce, and not exceeding 1 ounce and  $\frac{1}{2}$  of another ounce in weight, 3 rates of postage;

And on every such letter, if exceeding 1 ounce and  $\frac{1}{2}$  of another ounce, and not exceeding 2 ounces in weight 4 rates of postage;

And for every additional  $\frac{1}{2}$  of an ounce in weight of any such letter above the weight of 2 ounces, there shall be charged, taken, and paid 1 additional rate of postage, and every fractional part of such additional  $\frac{1}{2}$  of an ounce in weight shall be charged as an additional  $\frac{1}{2}$  of an ounce in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding  $\frac{1}{2}$  of an ounce in weight.

4. On every letter posted in the United Kingdom addressed to the *Netherlands*, or posted in the *Netherlands* addressed to the United Kingdom, the postage thereof shall be paid at the time of the same being posted, either in money, or by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such letter, near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

5. If any letter shall be posted in the United Kingdom addressed to the *Netherlands*, or be posted in the *Netherlands* addressed to the United Kingdom, without any postage having been paid thereon, either in money or postage stamps, every such letter shall be charged with the postage to which it would have been liable under or by virtue of this Warrant if the postage had been fully paid thereon when posted, together with a further and additional rate of postage of 3*d.*

6. If any letter shall be posted in the United Kingdom addressed to the *Netherlands*, or be posted in the *Netherlands* addressed to the United Kingdom, having thereon or affixed thereto a postage stamp or stamps the value of which shall be less in amount than the rate of postage to which the same would be liable under or by virtue of the provisions of this Warrant, every such letter shall be charged with the amount of the difference between the postage paid thereon and the postage to which it would have been liable under or by virtue of this Warrant, if the full amount of postage payable thereon had been paid when posted, together with the further and additional rate of postage of 3*d.*

7. Nothing herein contained shall be deemed or construed to extend to any letters passing by the post between the United Kingdom and the *Netherlands*, viâ *France*, which are to be charged with the same rates of postage as if this Warrant had not been signed, nor shall anything herein contained be deemed or construed to annul, prejudice, or affect any of the exemptions and privileges granted by the said recited Acts, or by any other Acts of Parliament relating to the Post Office, or by any Treasury Warrant issued under any of such Acts.

8. In all cases in which any letter in respect of which any



rate of postage is chargeable under or by virtue of the provisions of this Warrant shall be liable to any *Foreign* postage, such *Foreign* postage shall be charged and paid thereon, in addition to the British postage.

9. The term "weight" used in this Warrant shall mean British weight, and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her present Majesty.

10. So much of a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 9th day of December, 1853,\* as relates to the transmission by the post of any letters *viâ Belgium* direct by packet boat, is hereby repealed, revoked, and annulled.

11. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands duly made, at any time hereafter alter, repeal, or revoke any of the rates of postage hereby fixed or altered, or any of the orders, regulations, conditions, and restrictions hereby made, and may make and establish any new or other rates, orders, regulations, conditions, or restrictions in lieu thereof, and from time to time may appoint at what time the rates which may be payable are to be paid.

12. This Warrant shall come into operation on the 1st day of October, 1864.

Whitehall Treasury Chambers, the 13th day of September, 1864.

WM. DUNBAR.  
LUKE WHITE.

ADDITIONAL CONVENTION *between the General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of the Kingdom of the Netherlands. Signed in the English and Dutch Languages at <sup>The Hague, 4th</sup> London, 13th June, 1866.*

THE General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of the Kingdom of the Netherlands being desirous of authorizing, by means of an additional Convention, the exchange, at a reduced rate of postage, of packets containing patterns or samples of merchandize, conveyed by the route of Belgium, between the United Kingdom and the Netherlands;

The Undersigned, duly authorized for that purpose by their respective Governments, have agreed upon the following Articles:

\* See Vol. 11. Page 567.

ART. I. Subject to the following conditions, patterns and samples of merchandize may be forwarded from the United Kingdom of Great Britain and Ireland to the Netherlands *viâ* Belgium, at such rates of postage as may be fixed from time to time by the British Post Office, and from the Netherlands to the United Kingdom of Great Britain and Ireland, at such rates of postage as may be fixed from time to time by the Netherland Post Office.

1. The postage must be prepaid. Packets insufficiently prepaid by means of postage stamps shall be charged with double the amount of the deficiency.

2. The patterns of merchandize must not bear any other writing, in addition to the address of the sender and the address of the person for whom they are intended, than a manufacturer's or trade mark, numbers, and prices; and these particulars must in all cases be given, not on loose pieces of paper, but on small labels attached to the patterns, or the bags or boxes containing them.

3. The patterns must be sent in covers open at the ends, so as to admit of easy examination. Samples, however, of seeds, drugs, and articles of a similar description, which cannot be sent in open covers, shall be allowed to be enclosed in boxes or bags of linen, paper, or other material fastened in such a manner that they may be readily opened; or such samples may be sent in bags entirely closed, provided the bags are transparent, so that the officers of the Post Office may be able to satisfy themselves as to the nature of the contents.

4. No article which might injure the contents of the mail bags, or the persons of the officers of the Post Office, shall be sent through the post as a pattern of merchandize; but scissors and other similar articles may be forwarded from one country to the other, through the post, as patterns, provided they be packed and guarded in so secure a manner as to afford complete protection to the contents of the mail bags and to the officers of the Post Office, while at the same time the patterns may be easily examined.

5. No packet containing patterns must exceed 2 feet, British, in length, or 1 foot, British, in width or depth.

Patterns of merchandize respecting which the conditions specified above are not complied with, shall not be forwarded.

II. The reciprocal transmission of packets of patterns of merchandize shall not give rise to any accounts.

Each office shall retain the postage which it collects.

III. Patterns and samples of merchandize may also be forwarded from the Netherlands by way of the United Kingdom to those British colonies and Foreign countries to which patterns and samples can be sent at a reduced rate of postage from the United Kingdom.

The Netherland Post Office shall pay to the British Post Office, for the conveyance across the United Kingdom of packets of patterns or samples of merchandize in transit, which the British Post Office shall convey through its territory on account of the Netherland Post Office, the sum of 5*d.* per pound, British, net weight.

The Netherland Post Office shall further pay to the British Post Office, for the sea conveyance of packets of patterns of samples of merchandize which shall be conveyed on account of the Netherland Post Office, by British mail packets or by private ships leaving the ports of the United Kingdom, the sum of 5*d.* per pound, British, net weight.

In consideration of the expense incurred by the British Post Office for the conveyance of mails across the Isthmus of Suez and the Isthmus of Darien, the Netherland Post Office shall further pay to the British Post Office, for packets of patterns or samples of merchandize which the Netherland Post Office shall forward by British mail packets, and by way of either Isthmus, viz. :

For the conveyance of packets of patterns or samples of merchandize across the Isthmus of Suez, a transit rate of 1*d.* per pound, British, net weight :

For the conveyance of packets of patterns of samples of merchandize across the Isthmus of Darien, a transit rate of 4½*d.* per pound, British, net weight.

It is understood that in the event of the expenses borne by the British Post Office for the conveyance of packets of patterns or samples of merchandize across either Isthmus being increased or diminished, the sums here mentioned shall be increased or diminished in an equal proportion.

IV. The British Post Office shall pay to the Belgian Post Office the transit rate which will be due to Belgium for the conveyance over the Belgian territory of patterns of merchandize sent from the United Kingdom to the Netherlands, and the Post Office of the Netherlands shall pay to the Belgian Post Office the transit rate which will be due to Belgium for the conveyance over the Belgian territory of patterns sent from the Netherlands to the United Kingdom,

V. The present Articles shall be carried into effect on the 1st day of July, 1866.

VI. These Articles shall be considered as additional to the Convention of the 14th October, 1843,\* with the modifications introduced by the Additional Conventions of the <sup>29th September</sup> 1854,† and the <sup>10th October</sup> 1864.‡

The provisions of those different Conventions are maintained in all cases where they are not contrary to the stipulations of the present Additional Convention.

\* See Vol. 7. Page 840. † See Vol. 9. Page 983. ‡ See Page 664.

Done, in duplicate, at the Hague, the 4th day of June, 1866,  
and in London the 12th day of the same month.

(Signed) STANLEY OF ALDERLEY,

*Her Majesty's Postmaster-General.*

R. I. GRAAF SCHIMMELPENNINCK,

*Minister van Financiën.*

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize transmitted from the United Kingdom, or from British Colonies, to the Netherlands, viâ Belgium. June 21, 1866.*

WHEREAS by an Act of Parliament, passed in the 4th year of the reign of Her Majesty, cap. 96,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, Parliamentary proceedings, and printed papers transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post; and by the same Act powers were given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her Majesty, cap. 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas it is expedient that certain regulations should be made for the transmission of certain packets by the post, in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the power reserved to us in and by the said hereinbefore recited Acts of Parliament and each of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows, that is to say:

1. All packets consisting of patterns of samples of merchandize, posted in any part of the United Kingdom, addressed to the Kingdom of the *Netherlands*, may be transmitted by the post from the United Kingdom to the Kingdom of the *Netherlands*, viâ *Belgium*, subject to the several rates of postage hereinafter mentioned; that is to say:

On every such packet, if not exceeding 4 ounces in weight,

\* See Vol. 5. Page 248.

† See Vol. 8. Page 417.



there shall be charged, taken, and paid, an uniform single rate of postage (British and *Foreign* combined) of 4*d.*;

On every such packet, if exceeding 4 ounces and not exceeding 8 ounces in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such packet, if exceeding 8 ounces, and not exceeding 12 ounces in weight, there shall be charged, taken and paid 3 rates of postage;

And on every such packet, if exceeding 12 ounces, and not exceeding 16 ounces in weight, there shall be charged, taken, and paid 4 rates of postage;

And for every additional 4 ounces in weight of any such packet above the weight of 16 ounces there shall be charged, taken, and paid one additional rate of postage, and in charging any additional rate of postage every fractional part of such additional 4 ounces in weight shall be charged as an additional 4 ounces in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with, under this Warrant, if not exceeding 4 ounces in weight.

2. All packets consisting of patterns or samples of merchandize posted in any of Her Majesty's colonies, addressed to the Kingdom of the Netherlands, may be transmitted by the post from any of Her Majesty's colonies to the Kingdom of the *Netherlands*, through the United Kingdom and *viâ Belgium*, subject to the several rates of postage hereinafter mentioned (that is to say):

On every such packet if not exceeding 2 ounces in weight there shall be charged, taken, and paid an uniform single rate of postage (British and *Foreign* combined) of 2*d.*;

And on every such packet if exceeding 2 ounces, and not exceeding 4 ounces in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such packet, if exceeding 4 ounces and not exceeding  $\frac{1}{2}$  of a pound in weight, there shall be charged, taken and paid, 4 rates of postage;

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound and not exceeding 1 pound in weight, there shall be charged, taken and paid, 8 rates of postage;

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of 1 pound, there shall be charged, taken and paid 4 additional rates of postage; and in charging any additional rates of postage every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 2 ounces in weight.

2 x 2

3. Every packet which shall be transmitted by the post under the authority of this Warrant shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations and conditions hereinafter contained (that is to say):

4. No such packet which in length shall exceed 2 feet (British), or in breadth or depth 1 foot (British), shall be transmitted by the post under the provisions of this Warrant, unless under the special authority of the Postmaster-General.

5. There shall be no enclosure sealed, or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant sent in or with any such packet.

6. There shall be no writing upon any such packet, or on the cover thereof, except the name and address of the person for whom it is intended, the name and address of the sender thereof, a trade mark and number and price of the pattern or sample contained therein; nor shall there be any writing in any such packet, except the name and address of the sender thereof, a trade mark, and number and price of the pattern or sample contained therein, which shall in all such last-mentioned cases be written or printed on labels attached to such patterns or samples, or to the bags or boxes containing the same, and not on loose pieces of paper or other material.

7. All such packets shall be sent in covers open at the ends so as to be easy of examination: Nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open cover, may be enclosed in boxes or in bags of linen, paper, or other material fastened in such a manner that they may be readily opened; but closed bags, if transparent, may be used for this purpose.

8. Every packet transmitted by the post under this Warrant, and posted in the United Kingdom, shall be put into the Post Office at such hours in the day and under all such regulations as the Postmaster-General may appoint.

9. The postage of all such packets as aforesaid posted in the United Kingdom shall in every case be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant. And the postage of all such packets as aforesaid which are not posted in the United Kingdom shall also be paid at the time of the same being posted either in money or by means of postage stamps.

10. If any packet authorized to be transmitted by the post under the first clause of this Warrant shall be posted with a

postage paid thereon, in the mode hereinbefore required, less in amount than the postage payable thereon under this Warrant, every such packet shall be charged with double the amount of the deficient postage.

11. If any packet sent or tendered or delivered in order to be sent by the post under the provisions of this Warrant shall be sent otherwise than in conformity with the conditions and regulations established by or under the authority of this Warrant (except only as in the last preceding clause mentioned), the same shall and may be detained and opened, and, at the option of the Postmaster-General, shall be either returned or given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such packet, on being so returned, given up, or forwarded, shall, at the option of the Postmaster-General, either be free of postage or be charged with any rate of postage he may think fit, not exceeding the rate that would be chargeable on such packet as a letter.

And whereas the Commissioners of Her Majesty's Treasury, by a certain Warrant, in writing, under their hands, bearing date at Whitehall, Treasury Chambers, the 28th day of November, 1844,\* did declare, consent, and direct (amongst other things), that no packet should be forwarded, conveyed, or delivered by the post within the United Kingdom containing any razor, scissors, knife, fork, or other sharp or pointed instrument, or any article, matter, or thing whatsoever, which might by pressure or otherwise be rendered injurious either to the officers of the Post Office, or to the contents of the mail bags.

12. Now we, the Commissioners of Her Majesty's Treasury, do hereby declare and direct that, notwithstanding the said recited Warrant of the 28th day of November, 1844, any packet posted for transmission by the post under the provisions of this Warrant, containing any razor, scissors, knife, fork, or other sharp or pointed instrument, keys, watch machinery, metal, metal tubing, or ore, or such like, shall and may be so transmitted, subject to the several rates of postage, and to the several orders, directions, regulations, and restrictions herein mentioned and contained: Provided that every such razor, scissors, knife, fork, or other sharp or pointed instrument, keys, watch machinery, metal, metal tubing, or ore, or such like, so contained in any packet, be securely packed and guarded. And every such packet shall not only conform in every respect to the several orders, directions, regulations, and restrictions herein contained, but the same shall also furnish sufficient protection against injury to the officers of the Post Office and to the contents of the mail bags: Provided always, that nothing herein contained shall extend to authorize the transmission by

\* See Vol. 7. Page 622.

the post, under the provisions of this Warrant, of any packet containing any explosive or other dangerous material or substance.

13. And we do further order and direct, that if any packet sent or tendered or delivered in order to be sent by the post under the authority of the 12th clause of this Warrant, shall be posted or transmitted by the post without being securely packed and guarded, and without furnishing sufficient protection against injury to the officers of the Post Office, and to the contents of the mail bags, as in such 12th clause of this Warrant provided (of which the Postmaster-General shall be the sole judge), every such respective packet shall and may be detained and opened, and, at the option of the Postmaster-General, shall be either returned or given up to the sender thereof, or be given up to the person to whom it shall be addressed; and every such packet, on being so returned or given up, shall be chargeable with any rate or amount of postage the Postmaster-General shall think fit, not exceeding the letter rates of postage.

14. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be despatched in due course of the post, or (at his option) until the despatch of the mail next after that by which the same ought, in due course of the post, to be forwarded by him.

15. In all cases in which any question shall hereafter arise, whether any packet or any pattern or sample contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive on all parties.

16. The term "weight," used in this Warrant, shall mean British weight; and the several other terms and expressions used in this Warrant shall be construed to have the like meaning, in all respects, as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty, cap. 96.

17. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.



18. This Warrant shall come into operation on the 1st day of July, 1866.

Whitehall, Treasury Chambers, the 21st day of June, 1866.

W. P. ADAM.

JOHN ESMONDE.

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters, Newspapers, Books, &c., and Patterns or Samples transmitted between the United Kingdom and the Netherland Possessions in the East and West Indies.* September 24, 1866.

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WHEREAS by an Act of Parliament made and passed in the session of Parliament holden in the 3rd and 4th years of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage payable by law on the transmission by the post of foreign or colonial letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act made and passed in the session of Parliament holden in the 10th and 11th years of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act of Parliament made and passed in the 18th year of the reign of Her Majesty, chapter 27,‡ for amending the laws relating to the stamp duties on newspapers, and for providing for the transmission by post of printed periodical publications.

And whereas it is expedient to alter and fix the rates of postage upon certain letters and packets, and to make certain regulations in relation thereto, in the manner hereinafter mentioned and contained.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said herein-

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

‡ See Vol. 10. Page 320.

before recited Acts of Parliament respectively, and all and every or some or one of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners (by the authority of the statute in that case made and provided), order, declare, and direct as follows, that is to say:

1. On every letter, not exceeding  $\frac{1}{2}$  of an ounce in weight, transmitted by the post between any place in the United Kingdom and the *Netherland* possessions of *Surinam* and *Curaçoa* respectively (the sea conveyance being by British or by *French* packet-boat, or partly by British and partly by *Netherland* packet-boat, or partly by *French* and partly by *Netherland* packet-boat), and on every letter not exceeding  $\frac{1}{2}$  of an ounce in weight, transmitted by the post between any place in the United Kingdom and the *Netherland* possessions in the *Indian Archipelago*, viâ *Southampton* (the sea conveyance being partly by British and partly by *Netherland* packet-boat, or partly by British and partly by *French* packet-boat), there shall be charged and taken an uniform rate of postage (British and *Foreign* combined) of 1s.

2. On every letter not exceeding  $\frac{1}{2}$  of an ounce in weight, transmitted by the post between any place in the United Kingdom and the *Netherland* possessions in the *Indian Archipelago*, viâ *Marseilles* (the sea conveyance being by *French* packet-boat, or partly by British and partly by *Netherland* packet-boat, or partly by British and partly by *French* packet-boat), there shall be charged and taken an uniform rate of postage (British and *Foreign* combined) of 1s. 4d.

3. All such respective letters so transmitted as is hereinbefore mentioned, if exceeding  $\frac{1}{2}$  of an ounce in weight, shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned, that is to say:

On every such letter, if exceeding  $\frac{1}{4}$  of an ounce and not exceeding 1 ounce in weight, there shall be charged and taken 2 rates of postage.

And on every such letter, if exceeding 1 ounce and not exceeding  $1\frac{1}{2}$  ounce in weight, 3 rates of postage.

And on every such letter, if exceeding  $1\frac{1}{2}$  ounce, and not exceeding 2 ounces in weight, 4 rates of postage.

And for every additional  $\frac{1}{2}$  of an ounce in weight of any such letter above the weight of 2 ounces, there shall be charged and taken 1 additional rate of postage; and every fractional part of such additional  $\frac{1}{2}$  of an ounce shall be charged as an additional  $\frac{1}{2}$  of an ounce in weight. And each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding  $\frac{1}{4}$  of an ounce in weight.

4. Nothing herein contained shall in anywise annul, prejudice, or affect any of the exemptions or privileges granted by or under the said hereinbefore recited Acts, or either of them, or by or under any other Acts of Parliament relating to the Post Office, or any of the privileges which officers, seamen, and soldiers employed in Her Majesty's service are by law entitled to, of sending and receiving letters by the post, subject to the regulations and restrictions in respect of the same.

5. On every packet consisting of a printed British newspaper, not exceeding 4 ounces in weight, transmitted by the post from the United Kingdom to the *Netherland* possessions of *Surinam* and *Curaçoa* respectively, and on every packet consisting of a printed foreign newspaper, not exceeding 4 ounces in weight, transmitted by the post from the *Netherland* possessions of *Surinam* and *Curaçoa* respectively, to the United Kingdom, there shall be charged and taken, when transmitted by British packet-boat, or partly by British and partly by *Netherland* packet-boat, an uniform rate of British postage of 1*d.*, and when transmitted by *French* packet-boat, or partly by *French* and partly by *Netherland* packet-boat, an uniform rate of postage of 2*d.*; and on every packet consisting of a printed British newspaper, not exceeding 4 ounces in weight, transmitted by the post from the United Kingdom to the *Netherland* possessions in the *Indian Archipelago*, and on every packet consisting of a printed foreign newspaper, not exceeding 4 ounces in weight, transmitted by the post from the *Netherland* possessions in the *Indian Archipelago* to the United Kingdom, there shall be charged and taken, when transmitted respectively *viâ* Southampton (the sea conveyance being partly by British and partly by *Netherland* packet-boat, or partly by British and partly by *French* packet-boat), an uniform rate of British postage of 2*d.*, and when transmitted respectively *viâ* *Marseilles* (the sea conveyance being by *French* packet-boat, or partly by British and partly by *Netherland* packet-boat, or partly by British and partly by *French* packet-boat), an uniform rate of postage of 3*d.*; and on every such respective packet transmitted as is hereinbefore in this clause mentioned, if exceeding 4 ounces in weight, there shall be charged and taken for such transmission thereof respectively, the several further and additional and progressive rates of postage hereinafter mentioned.

6. All packets consisting of printed papers, or consisting of patterns or samples of merchandize of no intrinsic value, posted in the United Kingdom, addressed to the *Netherland* possessions of *Surinam* or *Curaçoa*, or posted in the *Netherland* possessions of *Surinam* or *Curaçoa*, addressed to the United Kingdom, may be transmitted by the post between the United Kingdom and the *Netherland* possessions of *Surinam* and *Curaçoa* respectively,

subject to the several rates of postage hereinafter mentioned, that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged and taken when transmitted by British packet-boat, or partly by British and partly by *Netherland* packet-boat, an uniform rate of British postage of 3*d.*, and when transmitted by *French* packet-boat, or partly by *French* and partly by *Netherland* packet-boat, an uniform rate of postage of 4*d.*

And on every such respective packet, transmitted as is hereinbefore in this clause mentioned, if exceeding 4 ounces in weight, there shall be charged and taken for such transmission thereof respectively, the several further and additional and progressive rates of postage hereinafter mentioned.

7. All packets consisting of printed papers, or consisting of patterns or samples of merchandize of no intrinsic value, posted in the United Kingdom, addressed to the *Netherland* possessions in the *Indian Archipelago*, or posted in the *Netherland* possessions in the *Indian Archipelago*, addressed to the United Kingdom, may be transmitted by the post between the United Kingdom and the *Netherland* possessions in the *Indian Archipelago* respectively, subject to the several rates of postage hereinafter mentioned, that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged and taken, when transmitted *viâ* Southampton (the sea conveyance being partly by British and partly by *Netherland* packet-boat, or partly by British and partly by *French* packet-boat), an uniform rate of British postage of 4*d.*, and when transmitted *viâ* *Marseilles* (the sea conveyance being by *French* packet-boat, or partly by British and partly by *Netherland* packet-boat, or partly by British and partly by *French* packet-boat), an uniform rate of postage of 6*d.*

And on every such respective packet, transmitted as is hereinbefore in this clause mentioned, if exceeding 4 ounces in weight, there shall be charged and taken for such transmission thereof respectively the several further and additional and progressive rates of postage hereinafter mentioned.

8. All packets transmitted respectively under the authority of Clauses 5, 6, and 7 of this Warrant hereinbefore respectively contained, shall, if exceeding the weight of 4 ounces respectively, be subject to the several further and additional and progressive rates of postage hereinafter mentioned, that is to say:

On every such packet, if exceeding 4 ounces and not exceeding 8 ounces in weight, there shall be charged and taken 2 rates of postage.

And on every such packet, if exceeding 8 ounces and not exceeding 12 ounces in weight, there shall be charged and taken 3 rates of postage.



And on every such packet, if exceeding 12 ounces and not exceeding 16 ounces in weight, there shall be charged and taken 4 rates of postage.

And for every additional 4 ounces in weight of any such packet above the weight of 16 ounces, there shall be charged and taken 1 additional rate of postage, and, in charging any additional rate of postage, every fractional part of such additional 4 ounces in weight shall be charged as an additional 4 ounces in weight, and each progressive and additional rate, chargeable under this clause, shall be estimated and charged at the sum which any such packet would be charged with, under this Warrant, if not exceeding 4 ounces in weight.

9. For the purposes of this Warrant every newspaper transmitted by the post, under Clause 5 of this Warrant, shall be deemed and considered a packet, and shall be charged and chargeable with a separate and distinct single rate or separate and distinct progressive and additional rates of postage according to the weight thereof, as hereinbefore respectively mentioned, notwithstanding two or more newspapers shall be enclosed and transmitted in one, and the same cover, wrapper, envelope, or bundle, and form only one parcel or bundle of newspapers, and every printed supplement or additional sheet to any such newspaper shall, for the purpose of charging the postage under this Warrant, be deemed a distinct newspaper, unless sent in the same cover or together with the newspaper to which it is a supplement or addition.

10. Every packet transmitted by the post, under the provisions of Clause 5 of this Warrant, and every packet consisting of printed papers, which shall be transmitted by the post, under the provisions of this Warrant, shall be so transmitted in conformity with, and under, and subject to the several orders, directions, regulations, and conditions following, that is to say:

Every British newspaper shall be printed and published at intervals not exceeding 31 days between any two consecutive numbers or parts of such publication, and the same shall be registered at the General Post Office in London, and shall be posted within 15 days from the date of its publication, and the title and date of the newspaper shall be printed at the top of every page thereof.

Every packet shall be sent open at the ends or sides, and either without a cover or in a cover or envelope open at the ends or sides, and there shall be no written letter, either closed or open, nor any written communication in the nature of a letter, either closed or open (whether such letter or communication be addressed to or intended for the person to whom the packet shall be directed, or any other person), nor any enclosure, sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant sent in or with any

such packet, nor shall there be any word or communication printed on the contents of any such packet after the publication thereof, nor any writing, figures, or marks upon any such contents, or the cover thereof, not authorized by this Warrant, except the name and address of the person to whom the same is sent, but the name or title of any newspaper, and the name and address of the publisher, newsvendor, or agent by whom the same is sent, may be printed on the cover thereof.

11. If any packet mentioned or referred to in Clause 10 of this Warrant be sent, or be tendered or delivered in order to be sent by the post under the provisions of this Warrant, otherwise than in conformity with the conditions and regulations established by or under such Clause 10, the same shall and may be detained and opened, and at the option of the Postmaster-General shall (except in the case provided for in the clause next hereinafter contained), be either returned or given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such packet on being so returned, given up, or forwarded, shall be chargeable with any rates of postage the Postmaster-General may think fit, not exceeding the rates that would be chargeable on such packet as a letter.

12. If any packet mentioned or referred to in Clause 10 of this Warrant sent or tendered, or delivered in order to be sent by the post under the provisions of this Warrant, shall contain any written letter, or any written communication in the nature of a letter, whether closed or open, or any enclosure sealed or otherwise closed against inspection, or any other enclosure not authorized by this Warrant, every such letter or communication or enclosure may be taken out by any officer of the Post Office, and either returned or given up to the sender thereof, or forwarded to the address on the packet, charged in either case with the full rates of postage as a letter, and the remainder of the packet may (subject to the provisions of Clause 16 of this Warrant), be forwarded to the place of its address without any extra charge.

13. Every packet consisting of patterns, or samples of merchandize, which shall be transmitted by the post under the authority of this Warrant, shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter contained, that is to say :

No pattern or sample being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

There shall be no enclosure, sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant sent in or with any such packet.

There shall be no writing or printing upon any such packet, or on the cover thereof, or contained therein, except the address of the person for whom it is intended, the address of the sender thereof, and a manufacturer's or trade mark, and number and price of the pattern or sample; and every such manufacturer's or trade mark, number and price, shall be written or printed on labels attached to such patterns or samples, or to the bags or boxes containing the same, and not on loose pieces of paper or other material.

All such packets shall be sent in covers open at the ends so as to be easy of examination; nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in boxes or in bags of linen, or other material, which shall be fastened in such a manner that they may be readily opened, but closed bags, if transparent, may be used for this purpose.

14. If any packet consisting of patterns, or samples of merchandize, sent, or tendered, or delivered in order to be sent by the post under the provisions of this Warrant, shall be sent otherwise than in conformity with the several regulations, orders, directions, and conditions hereinbefore contained relating thereto, every such packet shall (except in the case next hereinafter otherwise provided for), be chargeable and shall be treated in all respects as a letter.

15. If any packet consisting of patterns, or samples of merchandize, sent or tendered or delivered in order to be sent by the post under the provisions of this Warrant, shall contain any enclosure sealed or otherwise closed against inspection, or any other enclosure not authorized by this Warrant, every such enclosure may be taken out by any officer of the Post Office and either returned or given up to the sender thereof, or forwarded to the address on the packet charged in either case with the full rates of postage as a letter, and the remainder of the packet may (subject to the provisions of Clause 16 of this Warrant), be forwarded to the place of its address without any extra charge.

16. As to all packets posted in the United Kingdom, under Clauses 5, 6, and 7 of this Warrant, the postage thereof shall, in every case, be prepaid at the time of the same being posted, not in money but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall, in every case, be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon, under or by virtue of this Warrant (unless any such packet be sent from any department or office, in or connected with the public service of Her Majesty, which shall have a postage account with the General Post Office in London, in which case the same shall be forwarded post paid, and the postage thereof shall be



charged in such postage account), and if any such packet shall be posted without any postage having been paid thereon as hereinbefore required, or shall be posted with a postage paid thereon as hereinbefore required, which shall be less in amount than the rate or rates of postage payable thereon, under and by virtue of this Warrant, every such respective packet shall and may be detained and opened, and at the option of the Postmaster-General shall be either returned or given up to the sender thereof, or to the person to whom it shall be addressed, or be forwarded to the place of its destination; and every such packet on being so returned, given up, or forwarded, shall be chargeable with any rate or amount of postage which the Postmaster-General shall think proper, not exceeding the rate or amount of postage to which such packet would have been liable as a letter, nor less than the rate of postage which such packet would have been chargeable with if the postage thereof had been properly paid when posted.

17. No packet shall be transmitted by the post under the provisions of this Warrant, which shall exceed 2 feet in length, or 1 foot in breadth or depth, unless under the special authority of the Postmaster-General.

18. Every packet transmitted by the post under this Warrant shall be put into the Post Office at such hours in the day, and under all such regulations as the Postmaster-General may appoint.

19. In order to prevent any obstacle to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post, under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

20. In all cases in which any question shall hereafter arise, whether any packet, or anything contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive on all parties.

21. The term "British newspaper" used in this Warrant shall be construed to mean a newspaper printed in the United Kingdom, whether it bear a newspaper stamp or not; the term "printed papers" used in this Warrant shall, for the purposes of this Warrant, be construed to mean and include any number of separate books or other publications, prints, or maps, and any quantity of paper, parchment, or vellum, and the books or other publications, prints, or maps may be either printed,



written, or plain, or any mixture of the three, and all legitimate binding, mounting, or covering of a book, publication, print, or map, or of a portion thereof, whether such binding, mounting, or covering be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise), in the case of books, and whatsoever is necessary for the safe transmission of literary or artistic matter or usually appertains thereto, but shall not mean, comprise, or include any photographs, drawings, prints, or other contents which may be obviously of an obscene character, and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said recited Act, passed in the 4th year of the reign of Her Majesty, chapter 96.

22. The rates of postage fixed by this present Warrant on the letters and newspapers transmitted as herein respectively mentioned, shall be in lieu of any rates now chargeable by law thereon.

23. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, or conditions in lieu thereof, and may from time to time appoint at what time the rates which may be payable are to be paid.

24. This Warrant shall come into operation on the 1st day of November, 1866.

Whitehall, Treasury Chambers, the 24th day of September, 1866.

GERARD NOEL.  
HENRY WHITMORE.

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## NICARAGUA.

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ADDITIONAL ARTICLES *to the Convention between Great Britain and Nicaragua, of January 27, 1859,\* for Regulating the Communications by Post between the Two Countries. Signed in the English and Spanish Languages at Guatemala, September 19, 1863.*

IN pursuance of the power granted by Article VIII of the Convention of January the 27th, 1859, between the United Kingdom of Great Britain and Ireland and the Republic of

\* See Vol. 11. Page 435.

Nicaragua, to the two Post Offices to modify from time to time by mutual consent the arrangements made in virtue of the said Convention, the Undersigned, George Benvenuto Mathew, Esquire, Her Britannic Majesty's Minister Plenipotentiary to the Republics of Central America, and Don Rafael Zaldivar, Minister of the Republic of Nicaragua to the Republic of Guatemala, duly authorized for that purpose, have agreed upon the following Articles:

ART. 1. The postage to be collected in the United Kingdom upon every letter not exceeding  $\frac{1}{2}$  an ounce British in weight, posted in the United Kingdom and addressed to Nicaragua, or posted in Nicaragua and addressed to the United Kingdom, when conveyed by British Government vessels, or by vessels freighted and maintained by order of the British Government, shall be 1s.

And the postage to be collected in Nicaragua upon such letters shall be 2 cents.

II. With respect to the charge upon letters above the weight of  $\frac{1}{2}$  an ounce British, the following scale of progression shall be applied in both countries, viz.:

For every letter above the weight of  $\frac{1}{2}$  an ounce and not exceeding 1 ounce, 2 rates of postage.

For every letter above 1 ounce and not exceeding  $1\frac{1}{2}$  ounce, 3 rates of postage.

For every letter above  $1\frac{1}{2}$  ounce and not exceeding 2 ounces, 4 rates of postage.

And so on, 1 rate being added for every additional  $\frac{1}{2}$  an ounce or fraction of  $\frac{1}{2}$  an ounce.

III. The present Articles shall be considered as additional to the Convention which was signed at Leon on the 27th of January, 1859, between the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of the Republic of Nicaragua, and shall have the same force, validity, and duration as if they were inserted in that Convention, the stipulations of that Convention which are modified by these Articles remaining without effect.

They shall come into operation on the 1st day of March next.

In witness whereof, the Undersigned have signed the same, and have affixed thereto their respective seals.

Done at Guatemala, the 19th day of September, in the year of our Lord 1863.

(L.S.) GEORGE B. MATHEW.  
(L.S.) RAFAEL ZALDIVAR.

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exercise of the powers vested in us in and by the said hereinbefore recited Acts, and each of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order, direct, and declare as follows:

1. On every letter not exceeding  $\frac{1}{2}$  of an ounce in weight, posted in the United Kingdom, addressed to the Republic of *Nicaragua*, or posted in the Republic of *Nicaragua* addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom and any part of the Republic of *Nicaragua* (the conveyance between the United Kingdom and the Republic of *Nicaragua* being by British packet-boat), there shall be charged and taken an uniform British rate of postage of 1s.

2. On every letter not exceeding  $\frac{1}{2}$  of an ounce in weight, posted in or addressed to any part of the Republic of *Nicaragua*, transmitted by the post between any port in the Republic of *Nicaragua* and any of Her Majesty's Colonies, or any *Foreign* country through the United Kingdom (the conveyance between the Republic of *Nicaragua* and the United Kingdom being by British packet-boat), there shall be charged and taken a British rate of postage of 1s. for the conveyance of every such letter between any port in the Republic of *Nicaragua* and any part of the United Kingdom; and for the conveyance of every such letter between the port in the United Kingdom of the departure or arrival of the packet or ship conveying the same and the *Colony* or *Foreign* country to or from which the same shall be forwarded such a further or additional rate of postage as shall from time to time be charged and payable for British postage on letters not exceeding  $\frac{1}{2}$  an ounce in weight, posted or delivered at the port in the United Kingdom, of the departure or arrival of the packet or ship conveying the same, and transmitted direct between such port and any such *Colony* or *Foreign* country, provided that in all cases where such additional rate includes both inland and sea services there shall be deducted from the said rate of 1s. the sum of 1d., in respect of the inland conveyance, under this clause, of every such letter sent through the United Kingdom.

3. All such respective letters so transmitted as hereinbefore in this Warrant mentioned if exceeding  $\frac{1}{2}$  of an ounce in weight shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned (that is to say):

On every such letter, if exceeding  $\frac{1}{2}$  of an ounce in weight and not exceeding 1 ounce in weight, there shall be charged, taken, and paid 2 rates of postage.

And on every such letter, if exceeding 1 ounce and not exceeding  $1\frac{1}{2}$  ounce in weight, 3 rates of postage.



And on every such letter, if exceeding  $1\frac{1}{2}$  ounce and not exceeding 2 ounces in weight, 4 rates of postage.

And for every additional  $\frac{1}{2}$  of an ounce in weight of any such letter above the weight of 2 ounces there shall be charged, taken, and paid 1 additional rate of postage, and every fractional part of such additional  $\frac{1}{2}$  of an ounce in weight shall be charged as an additional  $\frac{1}{2}$  of an ounce in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged in the sum which any such letter should be charged with under this Warrant, if not exceeding  $\frac{1}{2}$  of an ounce in weight.

4. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect, any of the exemptions or privileges granted by or under the said hereinbefore recited Acts, or either of them, or by or under any other Acts of Parliament relating to the Post Office, or any of the privileges which officers, seamen, and soldiers employed in Her Majesty's service are, by law, entitled to, of sending and receiving by the post, letters subject to the regulations and restrictions in respect of the same.

5. The respective letters transmitted by the post, under the provisions of this Warrant, shall be subject to the several orders, directions, regulations, and rates of postage, respectively contained in a certain Warrant of the Commissioners of Her Majesty's Treasury, under the hands of two of the said Commissioners, bearing date the 19th day of February, 1855,\* relating to redirected rates of postage upon letters and packets which shall be redirected and again forwarded by the post.

6. The several rates of postage on letters posted in the United Kingdom addressed to the Republic of *Nicaragua*, or posted in the Republic of *Nicaragua*, addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom, and any part of the Republic of *Nicaragua* (the conveyance between the United Kingdom and the Republic of *Nicaragua* being by British packet-boat), and on letters posted in or addressed to any part of the Republic of *Nicaragua*, transmitted by the post between any port in the Republic of *Nicaragua*, and any of Her Majesty's Colonies, or any Foreign country through the United Kingdom (the conveyance between the Republic of *Nicaragua* and the United Kingdom, being by British packet-boat) payable under or by virtue of the said hereinbefore recited Warrant, of the 13th day of July, 1859, together with so much of the said Warrant as relates to the said rates of postage, and the regulations therein contained affecting the same shall be, and the same are hereby repealed.

7. Nothing herein contained shall be construed to extend to any letters sent between the Republic of *Nicaragua* and *France*,

\* See Vol. 10. Page 289.

or sent otherwise than in closed mails between the Republic of *Nicaragua*, and any *Foreign* country or British colony through *France*.

8. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act, passed in the 4th year of the reign of Her present Majesty.

9. The Commissioners for the time being of Her Majesty's Treasury may by Warrant under their hands duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed or altered, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which may be payable are to be paid.

This Warrant shall come into operation on the 1st day of March, 1864.

Whitehall Treasury Chambers, January 18, 1864.

WM. DUNBAR.

E. H. KNATCHBULL-HUGESSEN.

## PERSIA.

ENGAGEMENT entered into by the Persian Minister for Foreign Affairs with the British Government for the Construction of a Line of Telegraph from Khanakeen to Bushire. December 17, 1862. (Translation.)

1. THE Persian Government considers it necessary to construct a line of telegraph without delay from Khanakeen to the capital, Tehran, and from Tehran to the port of Bushire; and they agree that, whenever the English Government may require to communicate by the said telegraph, they are to be at liberty to do so through the Persian telegraph officers in the way they may desire, paying for the same at rates to be specified hereafter.

2. The Persian Government will assign a sum sufficient for the construction of this telegraph, and for the purchase of such materials as are not procurable in Persia, or can be better obtained in Europe.

3. The Persian Government engages to purchase from the English Government all the materials which are better procurable in Europe, and the English Government agrees to supply such materials at moderate prices.

4. In order that the said line of telegraph may be well constructed and officially worked, the Persian Government agrees

to place it under the superintendence of an English engineer officer, who is to be paid by the English Government, and they further agree to fix a period during which instruction may be given and the line may be brought into good working order; and his Royal Highness the Itizad-oo-Sultaneh, the Minister of Public Instruction, and his Excellency the Amin-ed-Dowleh will have cognizance of the aforesaid officer's proceedings.

5. The said officer will be fully empowered to call upon the Persian authorities to supply any materials he may consider requisite for this work, and the Persian authorities will make no alteration in his requisitions unless it should be impossible to obtain the thing required. But a Persian officer will accompany him everywhere, so that he may be informed of what is done, and of the prices of the materials; and the accounts will be audited by the above-mentioned Prince and by the Amin-ed-Dowleh every 3 months, when a report will be drawn up and printed in the "Tehran Gazette."

6. In order to increase the friendship between the two Governments, and to promote the above undertaking, the English Government engages to purchase in England at reasonable rates, with the approval of the Persian Minister Plenipotentiary, the materials required for this work, and to convey them to the Persian frontier, and to receive from the Persian Government the price paid for the above articles by 5 instalments in 5 years after they are delivered on the frontier of Persia.

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*(In the handwriting of the Persian Minister for Foreign Affairs.)*

The Persian Government accepts this engagement. If the English Government desires it, the construction of the line of telegraph will be commenced in conformity with the above stipulation.

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CONVENTION *between Her Majesty and the Shah of Persia, relative to Telegraphic Communication between Europe and India. Signed in the English and Persian languages, at Tehran, November 23, 1865.\**

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As Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of all the Kingdoms of Persia, are desirous of regulating the telegraphic communication between Europe and India, and of placing this work on a sure and friendly basis, they have resolved that a Convention for that purpose shall be concluded; wherefore their Majesties have named as their Plenipotentiaries:

\* Ratifications exchanged at Tehran, May 1, 1866.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, his Excellency Charles Alison, Esquire, Companion of the Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia ;

And His Majesty the King of all the Kingdoms of Persia, his Excellency Mirza Saeed Khan, His Minister for Foreign Affairs, possessor of the Order of the Royal Portrait, adorned with diamonds, and of the blue cordon, and bearer of the pearled tassel and rod adorned with diamonds, possessor of the Order of First Serteeb with its special cordons, and bearer of the Order of St. Ann adorned with diamonds of the first class, and of the Order of the Medjidie of the first class, and of the First Order of the Iron Crown, and the First Order of Leopold, and the First Order of Dannebrog, and the First Order of St. Maurice and Lazare, and the First Order of the Saviour of Greece, and the Order of the Polar Star of Sweden, and the Second Order of the Legion of Honour ;

And the aforesaid distinguished Representatives, after meeting in the capital of Tehran, and perusing and exchanging their letters of full power, and finding them in due order, have concluded the following Articles :

ART. I. In order to improve the telegraphic communication between Europe and India, the Persian Government agrees to attach another wire to the poles now standing from Bushire to Khanikin, and to bring it into working order as soon as possible. The wire to be used solely for international messages sent in European languages.

II. In order that the second wire may be attached in a complete and effective manner, the Persian Government also agrees that it shall be done under the direction and supervision of an English engineer officer and staff. And the Persian Government will use its best endeavours to collect the necessary materials, and lay down the wire with all expedition.

III. The British Government agrees to procure for the Persian Government, at a reasonable price, and with the cognizance of a Persian Commissioner, all the wire, insulators, Morse instruments, &c., that may be requisite for this work, inclusive of 200 iron posts for the marshy tract of Bushire, and to deliver them over to the Government Commissioners at any seaport or frontier town of Persia that may be suitable, receiving payment in 5 years in 5 instalments.

IV. The Persian Government, moreover, agrees that an English telegraph officer, with the necessary staff, not exceeding 50 in number, exclusive of families, shall be engaged from the opening of telegraphic communication through the new wire, for 5 years, in organizing the Persian line of telegraph and giving instructions in telegraphy. And the British Govern-



ment agrees that the English officer and his staff shall, at the expiration of the prescribed period, make over the said line to the Persian Government and cease connection with the Persian telegraph.

V. The conditions under which the English officer shall exercise control over the second wire, during the prescribed period, are stated in the following rules:

1. His Royal Highness the Itizad-es-Sultaneh, Minister of Science, or any other person who by the Shah's order may be appointed in his place, is to be considered the head and absolute chief of all the Persian Government telegraphs.

2. Any order which His Royal Highness, or such other person in his place, may issue concerning the protection of the line, its working, and the Persians employed on it, shall be given through and with the approval of the English telegraph officer.

3. For the protection of the line, the whole distance from the Turkish frontier to Bushire shall be divided from station to station into 6 sections, as follows:

From the Turkish frontier to Hamadan.

From Hamadan to Tehran.

From Tehran to Kashan.

From Kashan to Ispahan.

From Ispahan to Shiraz.

From Shiraz to Bushire.

To each of these divisions the Itizad-es-Sultaneh shall appoint a Persian officer, who will be responsible to His Royal Highness for the protection of the line situated within his limits.

To enable the said Persian officer or Yaver of each division to carry out his duties efficiently, a certain number of horsemen shall be stationed under his orders along the line. The Yaver will of course accept any suggestions which the English telegraph officer may give with reference to his charge, due regard being had to the customs of Persia and her power of carrying out such suggestions.

4. The organization of offices and instruction of *employés* shall be exclusively in the charge of the English superintending officers, who will be responsible for the working of the line in these respects; and the Persian signallers shall be ordered to obey implicitly the instructions which the English officers may give in the performance of their duties.

5. In case of insubordination or misconduct on the part of the Persian signallers, His Royal Highness the Itizad-es-Sultaneh engages to use his best endeavours in lawfully supporting the authority of the English superintending officer, exercised under the last rule. On the other hand the English officer engages that the bounds of that authority shall in no way be exceeded.

6. The English officer shall have nothing whatever to do with receipts of money. A Mirza will be appointed at each station, who will be directly responsible for the accounts to the Itizad-es-Sultaneh. But the English superintending officer shall render to His Royal Highness, or any person who may be appointed by the Persian Government, such account of the telegrams dispatched under his authority as may be sufficient for full information.

These rules, however general in some sense, are understood to have special application to the second wire.

VI. In filling up vacancies which may occur among the signallers employed under Article IV, the English telegraph officer shall give the preference to natives of Persia, provided they be qualified in his estimation by knowledge of the English language, and other attainments necessary for this service, to perform the duties required.

VII. As the telegraph officers of these two wires ought to be distinct, the Persian Government shall build a new office adjoining the existing one wherever there are not separate rooms.

VIII. If any injury befall the second wire, or delay occur through press of traffic, the first wire, which is specially used for internal communication in Persia, shall give assistance to the second wire, and *vice versâ*.

IX. For every message of 20 words or less from Khanikin to Bushire, or *vice versâ*, 1 toman 5 kirans and 8 shahis, in Persian money, or 14s., in English money, shall be charged, with proportionate rates for the intervening towns.

The Persian Government accepts the Tariff laid down in the last Convention between Turkey and England, so far as regards the rates of messages sent by the two Governments from Bushire to India, and from Khanikin to Constantinople or Europe.

X. The yearly receipts will be credited to the Persian Treasury; but should they reach a higher sum than 30,000 tomans, the surplus will be made over to the officers of the English Government for the cost of their establishment.

XI. All Indian messages, at whatever part of the line or from whatever place received, shall be given over to the second wire, and the accounts regularly kept.

XII. Should the traffic so continuously increase as to demand more than in one day the fair day's work on the second wire, the excess of telegrams shall be handed over for dispatch to the first wire, the money received on them being separately credited to the Persian Government. The adjustment of this matter shall rest with the Itizad-es-Sultaneh and the English superintending officer. This Article is quite irrespective of the provision for mutual assistance in the event of a slight and temporary delay.

XIII. The cost of all other than Indian or submarine cable messages shall be separately credited to the Persian Treasury, although conveyed by the second wire.

XIV. The relative values of coin shall be calculated for purposes of account at the following rates :

£1 sterling = 25 francs = 22 kirans.

1s. = 1 franc 25 centimes = 1 kiran 2 shahis.

1d. = 10 centimes = 2 shahis.

As a rule, accounts shall be kept in English, and payments made in Tehran in Persian currency.

XV. The telegraph accounts shall be made up by the English superintending officer monthly and sent to Constantinople, where, by comparison with the Cable and Turkish accounts, they will be checked by the British Commissioner appointed for that purpose. On the return to Tehran of the audited accounts from Constantinople, the amount due to the Persian Government will be certified by the English officer, and speedily paid every 6 months, as stated in the last Article. The above account shall always be open to the inspection of the telegraph agent of the Persian Government at Constantinople, or any person recognized by the Persian Minister at the Ottoman Court, for the settlement of accounts of international traffic on the Persian-Turkish lines.

XVI. The telegraphic regulations drawn up at Paris on the 13th of April, A.D. 1865, shall be carried out under the superintendence of the Persian Government, so far as not opposed to the terms of the present Convention or the institutions of Persia.

XVII. Any disagreement arising between the telegraphic *employés* of the two Governments shall be referred to their Excellencies the Persian Minister for Foreign Affairs and the British Minister at Tehran, in order that, after necessary investigation, a just decision may be pronounced.

XVIII. This Convention shall take effect from the opening of correspondence on the second wire, and remain in force for 5 years from the day that a telegram is first dispatched thereby. At the expiration of the 5 years it shall be null and void. If at any time within the term appointed the capabilities of Persian telegraphers for their work shall be proved to the satisfaction of the chief of the Persian telegraphs and the English telegraph officer, the full period shall be curtailed, and the line made over altogether to the Persian Government.

XIX. The present Convention shall be ratified, and the ratifications exchanged at Tehran within 5 months, or sooner if practicable.

Done at Tehran, on the 23rd day of November, A.D. 1865.

(L.S.) C. ALISON.

(L.S.) MEERZA SAEED KHAN.

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## PORTUGAL.

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*PORTARIA of the Government of Loanda, regulating the Power of establishing Factories on the Coast of Angola. Loanda, January 28, 1856.*

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(Translation.)

*Palace of Government at Loanda,  
January 28, 1856.*

THE Governor-General of the Province of Angola, &c., decrees as follows :

It being expedient to regulate the power of establishing factories on the coast of this province in such manner as that, whilst permitted for the lawful purposes of trade, they may not cover and aid the reprobated speculations of the traffic in slaves, I think it right, in virtue of the special authority which I hold from His Majesty's Government for this object, to decree as follows :

ART. I. From henceforward no person shall have the power of establishing factories on any points of this coast where no public administrative authorities exist, without the previous consent of the General Government of the province. Application for this privilege shall be made by means of a petition, declaring the purposes for which the factory is destined. It rests with the Government to exact, or not, a bond against any contravention of the laws for the suppression of the traffic in slaves which may either be committed or aided by the owner of such factories.

II. The proprietors of factories already existing in such localities are required to apply, within the term of 60 days, for authority from the Government to maintain them.

III. According to Articles I and IV of the Decree of the 14th December, 1854,\* no slaves or libertos can be allowed in the said factories who shall not have been registered. The document in proof of this legal sanction shall be the certificate of registry. In default of the presentation of this document, the authorities charged with the superintendence of the requirements of the present Portaria shall at once apprehend the slaves, or libertos, who shall all of them be then considered as being, in this latter character, at the disposal of the respective Board of Protection, should the owners not prove within 60 days that they had registered them before their apprehension. In default of the production to the same authorities of the licence of the General Government for the establishment of the factory, the same shall be destroyed.

\* See Vol. 10. Page 487.



IV. The original prohibition against keeping slaves in chains, or in any way confined with irons, such as fetters or handcuffs, is renewed. Transgressors of this rule shall incur a fine of 20 milreis, or imprisonment for 30 days, for each slave that they shall have put in irons. If the slaves found in chains shall be in factories on the coast where there are no public authorities, they shall be considered by this fact as intended for shipment, and their owners shall be subjected to the loss of them, besides the other legal penalties, on proof of the attempt to export them.

V. Every slave who shall give information of any other slaves being placed in irons on any point of the coast shall, on such information being verified, be redeemed at the public expense, according to the mode established by the Decree of the 14th December, 1854. If the slave should belong to the same owner as those who may be found in irons, his liberty shall be granted him without any indemnification to the said owner.

The authorities, &c.

JOSE RODRIGUES COELHO DO AMARAL,  
*Governor General.*

*LAW of the Kingdom of Portugal, liberating Slaves belonging to certain Corporations and Charitable Institutions. Lisbon, June 30, 1856.*

(Translation.)

DOM PEDRO, by the Grace of God, King of Portugal and the Algarves, &c.

We hereby make known to all our subjects that the General Cortes have decreed, and we confirm, the following law:

ART. I. The Decree of the 14th December, 1854,\* containing measures for effecting the liberation of slaves in the transmarine provinces, and for affording protection to these and to the liberated negroes, is hereby confirmed with the alterations set down in the following Articles:

II. Besides the slaves belonging to the State, to whom liberty was granted by virtue of the section of Article VI of the said Decree, those belonging to the Municipal Chambers and to charitable institutions ("misericordias") are also free from the date of the official publication of this law in the respective provinces.

III. Such slaves as may obtain their liberty by virtue of the provisions of the preceding Article, and of the section of Article VI of the above-mentioned Decree, are bound to serve the State or the corporation to which they lately belonged, in the manner and for the period stipulated by the Regulations of 25th October, 1853.

\* See Vol. 10. Page 487.

IV. The stipulations contained in the sections of Articles VI and XXIX of the said Decree of the 14th December, 1854, are by the present law specified and extended, and all legislative enactments to the contrary are by the same revoked.

We therefore order all the authorities whom the knowledge and execution of the said law may concern, to carry it out and cause it to be carried out and observed fully as therein expressed. The Minister and Secretary of State for Marine and Colonial Affairs shall cause it to be printed, published, and made public.

Given at the Palace of the Necessidades, 30th of June, 1856.

VISCOUNT SA DA BANDEIRA.

THE KING.

(Royal Seal.)

*LAW of the Kingdom of Portugal, abolishing Slavery in certain Territories of the Province of Angola (Cabinda, Molembo, and Ambriz). Lisbon, July 5, 1856.*

(Translation.)

DOM PEDRO, by the grace of God, King of Portugal and the Algarves, &c.

We hereby make known to all our subjects that the General Cortes have decreed, and we confirm the following law:

ART. I. The condition of slavery is hereby abolished in the following territories of the province of Angola:

1. In the district of Ambriz, from the River Lifune to the River Zaire.

2. In the territories of Cabinda and Molembo.

II. This law shall come into execution, in the district of Ambriz, at the expiration of 6 months from the date of its publication in the "Boletim Official" of Angola; and in the other territories mentioned in the preceding Article, 6 months from the establishment in each, by the Government, of administrative and military authorities.

III. All legislative enactments to the contrary are hereby revoked.

We therefore command all the authorities to whom the knowledge and execution of the above law appertains, to carry it out, and cause it to be carried out and observed fully, as therein contained. The Minister and Secretary of State for Marine and Colonial Affairs shall cause it to be printed, published, and circulated.

Given at the Palace of Necessidades, on the 5th July, 1856.

VISCOUNT SA DA BANDEIRA.

THE KING.

(Royal Seal.)

*LAW of the Kingdom of Portugal, providing for the Freedom of Children of Female Slaves in the Transmarine Provinces of Portugal. Cintra, July 24, 1856.*

(Translation.)

DOM PEDRO, by the grace of God, King of Portugal and the Algarves, &c.

We hereby make known to all our subjects that the General Cortes have decreed, and we confirm the following law :

ART. I. The children of female slaves born in the transmarine provinces, subsequently to the publication of this law, shall be considered free.

II. The children of female slaves mentioned in the preceding Article are bound to serve their mothers' masters gratuitously up to the age of 20 years.

III. The owners of female slaves are bound to provide for the board and education of such children as are born of them subsequently to the publication of this law, during the whole period of their gratuitous service.

IV. The service of the children of females, as specified in Article II, shall cease whenever the person having a right to such service shall be compensated, either for the value of the remaining period of service according to the said Article, or for the expenses incurred for board and education as provided by the preceding Article.

§. The Government, in concert with the Colonial Board, shall take such measures and frame such regulations as may be found necessary for determining the mode of compensation in such cases as may demand it, and with reference to the local circumstances, and to the different manners and customs.

V. In sales or transfer of female slaves, either made by contract during lifetime, by testamentary dispositions, or by right of succession, the children of such slaves declared free by virtue of this law, and not exceeding 7 years of age, shall always accompany their mothers.

VI. The children of female slaves not exceeding the age of 4 years shall be delivered up to their mothers when the latter obtain their liberty, provided they wish to take them, and in that case the engagements contained in Articles II and III of this Law shall cease.

VII. The owners of female slaves are also bound to maintain the children of the daughters of such slaves, provided that the mothers respectively are entitled to their maintenance, as specified in Article III of this Law. This engagement, however, on the part of the owners, shall cease as soon as their right to the gratuitous service of the mothers of such children ceases.

VIII. The Boards of Guardians for slaves shall see that the provisions of this Law are faithfully carried out.

IX. The Government are hereby authorized to create any

establishments or associations, and to make the necessary outlay, in order to afford due protection to the children of female slaves mentioned in Article I, as well as to the effect that this Law may be fully and promptly executed.

X. All Legislative enactments to the contrary are hereby revoked.

We therefore command all the authorities to whom the knowledge and execution of the said Law may apply, to carry it out, and cause it to be carried out and observed as fully as contained therein.

The Secretary of State for Marine and Colonial Affairs shall cause it to be printed, published, and circulated.

Given at the Palace of Cintra, on the 24th July, 1856.

VISCOUNT SA DA BANDEIRA.

THE KING.

(Royal Seal.)

*LAW of the Kingdom of Portugal, providing for the Freedom of Slaves belonging to Churches in the Dominions of Portugal. Cintra, July 25, 1856.*

(Translation.)

DOM PEDRO, by the grace of God, King of Portugal and the Algarves, &c.

We hereby make known to all our subjects that the General Cortes have decreed, and we confirm the following Law:

ART. I. The provision contained in the single § to Article VI, cap. 2, of the Decree of 14th December, 1854,\* is made extensive to the slaves belonging to Churches.

II. The provisions contained in Article XXIX and its §, of the said Decree of 14th December, 1854, are applicable to the slaves mentioned in the preceding Article.

III. All Legislative enactments to the contrary are hereby revoked.

We therefore command all the authorities to whom the knowledge and execution of the said Law may apply, to carry it out, and cause it to be carried out and observed as fully as therein specified. The Secretary of State for Marine and Colonial Affairs shall cause it to be printed, published, and circulated.

Given at the Palace at Cintra on the 25th July, 1856.

VISCOUNT SA DA BANDEIRA.

THE KING.

(Royal Seal.)

*DECREE of the King of Portugal, abolishing forced Labour of Free Negroes in Angola. Lisbon, November 3, 1856.*

(Translation.)

IT being strictly in accordance with justice to abolish, as soon as possible, the abusive practice which has existed from

\* See Vol. 10. Page 487.



remote times in a portion of the territories of the Province of Angola, consisting in obliging free negroes, Portuguese subjects, to perform the laborious work entitled there "porter's service" ("serviço de carregadores"); considering that right which, according to the Constitutional Charter of the Monarchy, belongs to all Portuguese subjects, without distinction of race, colour, or religious creed, of disposing of their own labour and industry, as it best suits them, ought to be secured to the said free negroes; considering that, far from the enforcing of this compulsory labour being sanctioned by law, a Royal Order, dated 1796, expressly forbids the exaction of any forced labour from the negroes of Benguella; and that previous Royal enactments provided that in Angola no person might engage the services of free people without paying them; and that a Portaria, dated January 31, 1839, also strictly prohibits the forced labour of "carregadores" in the whole extent of the said province; and inasmuch as this abuse, being promoted and kept up by avarice, and exercised in opposition to these Royal provisions, has annulled the right of the above-mentioned negroes to dispose freely of their own labour; considering that the argument put forward for preventing the abolition of this vexatious practice, viz., that if the negroes were not forced to perform the said service ("de carregadores"), all trade with the interior of the province would cease, as well as that with the independent tribes in the interior, is a pretext, to be classed with those made use of by the advocates of slavery, against the adversaries of such iniquity; inasmuch as in all the Portuguese territories of Angola where the said forced labour is not exacted, free negroes are to be found who voluntarily hire themselves for the purpose of conveying the merchants' goods, and during the period that the said Portaria of January 31, 1839, was in execution in that province, free negroes came to offer their services for conveying cargoes, in the same manner as the free negroes of Bihé, Songo, and various other places, do now, in the same province, as well as in all the Portuguese territories in Guinea and in Eastern Africa. Finally, considering that such violence ought no longer to be tolerated, it having for more than a century been stigmatized by various zealous and intelligent authorities of that province, who considered it as the cause of serious impediment to the advancement of the province, and conforming with the reports of the Colonial Board, dated respectively December 10, 1851, and September 12, 1854, I think it right to decree the following:

ART. I. The forced labour called "serviço de carregadores" is hereby abolished and prohibited in all the territories of the Province of Angola, without any exception.

II. All other forced labour, of whatsoever denomination, is also abolished.

Single §. The following are not included in the above provision :

1st. Military service, and the services to which the inhabitants of the continental portion of the Kingdom and adjacent islands are bound according to law.

2nd. The service set forth in Article III of this Decree.

3rd. The service of the sluices or dykes, for preventing the ravages of inundations, and which is called there "serviço de bongues."

III. The inhabitants of the districts and presidencies of the province are also obliged to contribute towards the service of the construction and repairs of the roads in their respective districts, in the proportion not to exceed 12 days' labour, either consecutive or otherwise, to be furnished in person or by a substitute, in each year.

Single §. The Governor-General in Council shall, as soon as possible, propose the roads to be opened first, and all else relating to the internal intercourse of the Province of Angola, and transmit a detailed report thereof, together with estimates of the outlay.

IV. This Decree shall be published in the "Boletim Official" of the Governorship of Angola, as soon as received at Loanda, and without delay published in all the districts and presidencies, by proclamation, in the usual manner, in order that it may be carried out fully throughout the province, at the expiration of 90 days from its publication in the above-mentioned "Boletim."

V. Any of the authorities who may, subsequently to the publication of the present Decree, be convicted of having obliged, directly or indirectly, or consented, that any of the free inhabitants of the Province of Angola should be forced to perform the compulsory labours abolished by the present Decree, shall be dismissed from his post, and shall make compensation to the individuals thus injured, such compensation to be adjudged in accordance with the Penal Code. The Viscount Sá da Bandeira, Peer of the Realm, Minister and Secretary of State for Marine and Colonial Affairs, shall thus understand and cause it to be carried out.

Palace, November 3, 1856.

VISCOUNT DE SA DA BANDEIRA.

THE KING.

PORTARIA of the Portuguese Government, relating to the Measures to be adopted for the Abolition of Slavery in the Cape de Verd Islands. Lisbon, March 10, 1857.

(Translation.)

WHEREAS a Portaria, under date of the 20th October last, having been issued to the Governor-General of the Cape de Verd Islands, instructing him, with reference to the peculiar

circumstances of those islands, to state when it would be possible to proclaim the abolition of slavery in one or more of those islands; and the said Governor-General having, in a despatch dated 21st February last, stated that there were no slaves in the Island of St. Vincent, inasmuch as those who had escaped the cholera had been liberated by their masters, with the exception of 5, who, at the instance of the Governor, had been just liberated by their masters; and the said island being thus, *de facto*, without slaves; His Majesty the King has been pleased to direct that instructions be sent through the Marine and Colonial Department to the above-mentioned Governor-General, to issue the proper orders to the effect that no passports be granted for the conveyance of slaves from the other islands, or from the continent of Guinea, to the Island of St. Vincent, revoking so far the Portaria of the 21st February, 1851,\* and thus abolishing, *de facto*, the condition of slavery in that island, until such time as it shall be abolished, *de jure*, by legislation. His Majesty further commands it to be stated that the conduct of the Governor-General in carrying out the Royal intentions has merited his Royal approbation, as also the humane and disinterested conduct of the inhabitants of the Island of St. Vincent who owned slaves.

*Palace, March 10, 1857.*

SA DA BANDEIRA.

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PORTARIA of the Portuguese Government, for the Prevention of the Slave Trade between the Coast of Mozambique and the Islands of Comoro and Madagascar. *Lisbon, February 19, 1858.*

(Translation.)

WHEREAS it has come to the knowledge of this department that many Arab boats (pangaios) are engaged in conveying numerous slaves from various parts of the coast of Mozambique to Comoro and the Island of Madagascar to be there sold: His Majesty the King commands that instruction be sent through the Marine and Colonial Department to the Governor-General of that Province to employ every means in his power to embarrass this traffic, with the understanding that, if any of the said boats should be captured by the Portuguese authorities, the negroes taken therewith shall be at once considered as liberated negroes, in accordance with the existing laws, and the same will happen to any negroes taken by the British cruizers, when placed by them at the disposal of the Governor-General, in consequence of not being willing or able to convey them to the Cape.

*Palace, February 19, 1858.*

SA DA BANDEIRA.

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\* See Vol. 9. Page 657.

DECREE of the King of Portugal, abolishing Slavery in the Transmarine Provinces at the end of 20 years. Lisbon, April 29, 1858.  
(Translation.)

WHEREAS during the last 22 years many effectual measures have been enacted tending to approximate the period when, without prejudice to the rights secured by the social organization of other times, the state of slavery in the transmarine provinces may be entirely done away with, the indefinite duration of which is incompatible with the principles contained in the Constitutional Charter of the Monarchy: considering that for carrying out this system, which has so perseveringly been followed up, it is necessary, at least, to establish a limit to the duration of slavery, inasmuch as the actual state of the public Treasury will not allow the means for putting a stop to it at once: considering that the above-mentioned measures on the whole cannot fail in producing the result of a constant and considerable decrease in the number of slaves in the said provinces, there is every reason to hope that, at the expiration of the term of 20 years, this number may be so far reduced that the amount of compensation to be given to the legal owners of the then existing slaves, in order to secure their liberty without any exception, may be covered by a moderate sum; considering that under these circumstances the day may be now fixed when the state of slavery may be entirely extinct in those provinces, and, consequently, in the entire Portuguese monarchy: considering, finally, the proposals of the Colonial Board, in their report of the 17th November, 1854, I am pleased, in the exercise of the power granted by Section 1 of Article XV of the Additional Act to the Constitutional Charter, and after hearing the opinion of the Council of Ministers, to decree as follows:

ART. I. The state of slavery shall be entirely abolished in all the Portuguese transmarine provinces, without any exceptions, on the day which completes 20 years to be counted from the date of this decree.

II. All persons who, on the day specified in the preceding Article for the entire abolition of the state of slavery in the transmarine provinces, shall still own slaves in those provinces, will receive the value of them in accordance with the stipulations of a special law.

III. All legislative enactments to the contrary are hereby revoked.

The Viscount de Sá da Bandeira, Peer of the Realm, Minister and Secretary of State for Marine and Colonies, shall have thus understood it and cause it to be carried out.

*Palace of Necessidades, April 29, 1858.*

VISCOUNT DE SA DA BANDEIRA.

THE KING.



PORTARIA of the Portuguese Government prohibiting the transfer of Slaves to the Islands of St. Anthony and St. Nicholas in the Cape de Verds. Lisbon, July 26, 1858.

(Translation.)

WHEREAS there are now existing in the Islands of St. Anthony and of St. Nicholas a very small number of slaves, and there being in the same islands a sufficient number of free people for the requirements of agricultural and industrial labours to allow of the extinction, within a short period, of the condition of slavery in the said islands, His Majesty the King has been pleased to command, through the Marine and Colonial Department, that the Governor-General of the province of Cape Verds shall issue the necessary orders to the effect that in no case shall any passports be given for the transfer of slaves to either of those two islands; but, on the contrary, to facilitate the transfer of any slaves existing there to any other of the islands of the archipelago of the Cape de Verds where there may still be slaves.

Palace, July 26, 1858.

SA DA BANDEIRA.

DECREE of the King of Portugal, imposing a Tax upon all Registered Slaves in the Transmarine Provinces, between the Ages of 15 and 60. Lisbon, August 28, 1858.

(Translation.)

WHEREAS it is of the greatest necessity to provide for the expenditure of the Transmarine Provinces out of their own resources, and as the Bill laid before the Chamber of Deputies on the 12th of June of last year, for establishing in those provinces a tax upon each registered slave of value, was not converted into law; conforming with the report of the Colonial Board of the 9th of June of that year, I am pleased, in the exercise of the authorization conferred by section 1, Article XV of the Additional Act to the Constitutional Charter of the Monarchy, and having heard the Council of Ministers, to decree the following:

ART. I. A tax is hereby established in the Transmarine Provinces upon each registered slave of value, whether of the male or female sex, and between the ages of 15 and 60 years.

Sect. 1. In the State of India, and in the provinces of Cape Verd, St. Thomas, and Prince of Angola, this tax will be 400 reis (about 1s. 10d.) for slaves of the male sex, and 200 reis for slaves of the female sex.

Sect. 2. In the province of Mozambique, and in the Islands of Timor and Solor, this same tax shall be 200 reis for slaves of the male sex, and 100 reis for those of the female sex.

II. The Governors of the above-mentioned provinces, in concurrence with the respective financial boards, will take such

measures as may be required for collecting the tax established by the present Decree.

III. All legislative enactments to the contrary are hereby revoked.

The Minister of Marine and Colonies shall have thus understood it, and shall cause it to be carried out.

*Palace, August 28, 1858.*

VISCOUNT SA DA BANDEIRA.

THE KING.

PORTARIA of the Portuguese Government, relative to the execution in Angola of the Decree of 3rd November, 1856,\* abolishing the forced Labour of Free Negroes. Lisbon, February 5, 1859.  
(Translation.)

WHEREAS it has come to the knowledge of His Majesty the King that the greater part of the difficulties which have arisen in the Province of Angola in the execution of the Decree of November 3, 1856,\* which abolishes the compulsory service there called "carregadores," is promoted by the subordinate authorities of that province, who, neglecting their duty, and abusing the confidence reposed in them, have not hesitated, in some localities, to demand certain sums for the concession of the so-called "carregadores;" and in other places denying, as they ought to do, such a concession to other parties, have taken them for their own use, thus monopolising the traffic with the interior to the prejudice of traders, and by this means reserving to themselves illicit gains, and neglecting the much-recommended compliance with the above-mentioned decree, creating obstacles to the internal trade, and in their own interest increasing the repugnance felt by the natives to the voluntary transport service, and even by vexatious proceedings seeking to encourage it: His Majesty therefore commands, that through the Marine and Colonial Department, the Governor-General of the Province of Angola shall be instructed as follows:

1. To cause without delay, and in such manner as may seem most convenient to him, a strict inquiry to be instituted upon the conduct of the subordinate Governors, and other Chiefs of districts, or other territorial sub-divisions, with reference to the subject in question.

2. That immediately upon having reasons for judging that the conduct of any authority has been irregular in this particular, to remove him from his post, and if belonging to the line, no matter what his rank may be, to place him in service in one of the districts where, previous to the publication of the said Decree of November 3, 1856, the practice of the compulsory transport service did not exist, or to place him on the retired

\* See Page 702.

list, for the convenience of the service, or to do service in the garrison corps.

3. That should the said inquiry furnish sufficient proofs for a regular judicial proceeding against any one of the said authorities, that such be instituted without delay according to law, laying before the proper courts all the necessary information and proof, in order that the offenders may not escape with impunity.

4. Finally, to report to this department the result obtained from the measures which he is hereby instructed to take, and transmitting a list of the authorities which he may have found to have proceeded irregularly in this respect, for the information of His Majesty's Government and the adoption of the proper measures.

All of which is hereby strongly recommended to the above-mentioned Governor-General, and he is further informed, that as His Majesty's Government is resolved to carry out a measure so indispensable for the civilization of the natives of that province, they will proceed with the strictest severity against such authorities as may prove to be remiss, or not sufficiently zealous in complying with His Majesty's orders in this respect, whatever may be their rank.

*Palace, February 5, 1859.*

SA DA BANDEIRA.

DETAILED REGULATIONS *arranged between the Post Office of Great Britain and the Post Office of Portugal, 1<sup>st</sup> June, 1859.*

[Repealed by Article XIII of Detailed Regulations of 13th June, 1866. See page 720.]

LAW of the Kingdom of Portugal reducing the Tax on able-bodied Slaves in Prince's Island. *Lisbon, April 5, 1864.*

(Translation.)

DOM LEWIS, by the grace of God, King of Portugal and of the Algarves, &c.

We make known to all our subjects that the General Cortes have decreed the following law, which we sanction.

ART. I. In Prince's Island (Ilha do Principe) the amount of the tax which was imposed upon able-bodied slaves in the Ultramarine Provinces by the Decree of the 28th of August, 1858,\* shall be the same as that which is laid down in the Decree above mentioned for the Province of Mozambique and for the Island of Timor.

II. All legislation to the contrary is hereby revoked.

We command, therefore, all the authorities whom the

\* See Page 707.

knowledge and execution of this law may concern to comply with the same, and to enforce the compliance and observance of the same exactly as is contained therein.

The Minister and Secretary of State for the Marine and Ultramarine Department shall have it printed, published, and circulated.

Given at the Palace of the Ajuda, on the 5th April, 1864.  
JOSE DA SILVA MENDES LEAL. THE KING.

ADDITIONAL CONVENTION *between the General Post Office of Great Britain and Ireland and the General Post Office of Portugal. Signed in the English and Portuguese Languages, at London, June 6, 1866.*  
*Lisbon, June 28,*

THE General Post Office of the United Kingdom of Great Britain and Ireland, and the General Post Office of the Kingdom of Portugal, deeming it expedient to reduce the rates of postage chargeable upon letters conveyed between the United Kingdom and Portugal, and of making other alterations in the existing arrangements for the exchange of correspondence between the two countries:

The Undersigned, in pursuance of the power granted to the two Offices by Article XXVIII of the Postal Convention between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the King of Portugal and the Algarves, signed at Lisbon on the 6th April, 1859,\* to modify, from time to time, by mutual consent, the arrangements agreed upon by such Convention, have agreed upon the following Articles:

ART. I. The total postage upon letters sent from the United Kingdom of Great Britain and Ireland to Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, or sent from Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa to the United Kingdom of Great Britain and Ireland, shall hereafter be combined in a single payment, and shall be collected, in advance, in the country in which the letters originate.

II. The British Post Office shall collect upon ordinary paid letters originating in the United Kingdom, and addressed to Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, the following rates, viz.:

1. For every single letter not exceeding a  $\frac{1}{4}$  of an ounce in weight, conveyed overland through France and Spain, or by French packet *via* Bordeaux, a rate of 6*d.*, and so on, increasing at the rate of 6*d.* for each additional  $\frac{1}{4}$  of an ounce or fraction of a  $\frac{1}{4}$  of an ounce.

2. For every single letter not exceeding  $\frac{1}{2}$  an ounce in

\* See Vol. 11. Page 487.



weight, conveyed either by a British mail-packet or by a private ship, a rate of 6*d.*, and so on, increasing at the rate of 6*d.* for each additional  $\frac{1}{2}$  ounce or fraction of  $\frac{1}{2}$  an ounce.

Reciprocally, the Portuguese Post Office shall collect upon ordinary paid letters originating in Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, and addressed to the United Kingdom, the following rates, viz.:

1. For every single letter not exceeding  $7\frac{1}{2}$  grammes in weight, conveyed overland through Spain and France, or by French packet *viâ* Bordeaux, a rate of 120 reis, and so on, increasing at the rate of 120 reis for every additional  $7\frac{1}{2}$  grammes or fraction of  $7\frac{1}{2}$  grammes.

2. For every single letter not exceeding 15 grammes in weight, conveyed either by a British mail-packet or by a private ship, a rate of 120 reis, and so on, increasing at the rate of 120 reis for every additional 15 grammes, or fraction of 15 grammes.

III. In exception to the stipulation made in Article I preceding, it is mutually agreed that international ordinary letters which may be posted either wholly unpaid, or insufficiently prepaid by means of postage stamps, shall be forwarded to their destination.

For these letters there shall be charged, on delivery, the following increased rates of postage, viz.:

In the United Kingdom a postage of 8*d.* for each single letter originating in Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, and in Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, a postage of 160 reis for each single letter originating in the United Kingdom, and so on, increasing at the rate of 8*d.*, or 160 reis, as the case may be, for each letter exceeding the weight of a single letter according to the scale of progression fixed by Article II preceding.

Insufficiently prepaid letters shall be considered as unpaid, and charged accordingly, after deducting the value of the postage stamps affixed to them.

IV. The British and Portuguese Post Offices shall mutually account to each other for the portion of the postage which is due to each upon the letters dispatched from one country to the other, as follows:

The Post Office of Portugal shall pay to the British Post Office for every single paid letter sent from Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, addressed to the United Kingdom,

The sum of 90 reis when conveyed overland through Spain and France, or by French packet *viâ* Bordeaux;

The sum of 100 reis when conveyed by a British mail-packet;

The sum of 60 reis when conveyed by a private ship.

Reciprocally, the British Post Office shall pay to the Portuguese Post Office for every single paid letter sent from the United Kingdom, addressed to Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa,

The sum of  $1\frac{1}{2}d.$  when conveyed overland through France and Spain, or by French packet *viâ* Bordeaux;

The sum of  $1d.$  when conveyed by a British mail-packet;

The sum of  $3d.$  when conveyed by a private ship.

The Portuguese Post Office shall pay to the British Post Office for every single unpaid letter sent from the United Kingdom, addressed to Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa,

The sum of 110 reis when conveyed overland through France and Spain, or by French packet *viâ* Bordeaux;

The sum of 120 reis when conveyed by a British mail-packet;

The sum of 80 reis when conveyed by a private ship.

Reciprocally, the British Post Office shall pay to the Portuguese Post Office for every single unpaid letter sent from Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, addressed to the United Kingdom,

The sum of  $2\frac{1}{2}d.$  when conveyed overland through Spain and France, or by French packet *viâ* Bordeaux;

The sum of  $2d.$  when conveyed by a British mail-packet;

The sum of  $4d.$  when conveyed by a private ship.

The amount of the sums paid, as well by the senders of letters insufficiently prepaid by means of postage stamps, as by the persons to whom those letters are addressed, shall be divided between the British and Portuguese Post Offices in accordance with the stipulations above agreed upon with respect to unpaid letters.

For all letters, whether paid, unpaid, or insufficiently paid, which may exceed the weight fixed by Article II for a single letter, each office shall pay to the other, in the proportions agreed upon in the said Article, an increased amount according to the scale of progression in that country in which the postage is collected.

V. The inhabitants of both countries may continue to send registered letters from one country to the other.

The total postage of registered letters shall always be paid in advance at the same rates as those fixed for ordinary paid letters. This postage shall be shared between the British and Portuguese Post Offices in the same proportions as the postage upon ordinary paid letters.

A fee or additional charge, the amount of which the dispatching office shall fix, shall be levied and retained in the country from which the registered letters are dispatched, but

no fee or additional charge shall be levied on the delivery of registered letters.

VI. Subject to the following conditions, newspapers, gazettes, periodical works, books stitched or bound, prices current, sheets of music, maps, catalogues, prospectuses, announcements, and any other kind of printed papers, as also engravings, lithographs and photographs on paper, parchment or vellum, shall be sent from the United Kingdom to Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, and *vice versâ*, either overland through France and Spain, by French packet *viâ* Bordeaux, or by British mail-packet, or by private ship direct, viz.:

1st. The total postage must be paid in advance.

2nd. Every packet containing newspapers or other printed papers such as those above mentioned must be sent either without a cover, or in a cover open at the ends or sides, so as to admit of the examination of its contents.

3rd. No packet may contain any writing, figures, or manual marks whatsoever. Ordinary corrections in writing shall, however, be allowed in the case of packets containing unbound proof sheets only.

4th. No packet must exceed 18 inches British, or 45 centimetres in length, width, or depth, nor must it exceed 1 pound British or 480 grammes in weight.

Newspapers, books, and other printed papers respecting which the conditions specified above are not complied with shall not be forwarded.

VII. The British Post Office shall fix, from time to time, the rates of postage to be charged on such of the newspapers, books, and other printed papers mentioned in Article VI preceding as may be posted within the United Kingdom, addressed to Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa; and in like manner the Portuguese Post Office shall fix, from time to time, the rates of postage to be charged on such of the newspapers, books, and other printed papers mentioned in Article VI preceding as may be posted in Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, addressed to the United Kingdom.

VIII. Subject to the following conditions, packets containing patterns or samples of merchandize may be sent from the United Kingdom to Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, and *vice versâ*, either overland through France and Spain, by French packet *viâ* Bordeaux, or by British mail-packet, or by private ship direct, viz.:

1. The patterns or samples of merchandize must not be of intrinsic value. No article of a saleable nature, or which has a

value of its own apart from its mere use as a pattern, shall be sent at the rates applicable to patterns of merchandize; and the quantity of any material sent ostensibly as a pattern shall not be so great that it could fairly be considered as having, on this ground, an intrinsic value.

2. The total postage must be paid in advance.

3. The patterns of merchandize must not bear any other writing, in addition to the address of the sender and the address of the person for whom they are intended, than a manufacturer's or trade mark, numbers, and prices; and these particulars must in all cases be given, not on loose pieces of paper, but on small labels attached to the patterns, or the bags or boxes containing them.

4. They must be sent in covers open at the ends, so as to admit of easy examination. Samples, however, of seeds, drugs, and articles of a similar description, which cannot be sent in open covers, shall be allowed to be enclosed in boxes, or in bags of linen, paper, or other material, fastened in such a manner that they may be readily opened; or such samples may be sent in bags entirely closed, provided the bags are transparent, so that the officers of the Post Office may be able to satisfy themselves as to the nature of the contents.

5. No article which might injure the contents of the mail bags or the persons of the officers of the Post Office shall be sent through the post as a pattern of merchandize; but scissors and other similar articles may be forwarded, provided they be packed and guarded in so secure a manner as to afford complete protection to the contents of the mail bags and to the officers of the Post Office, while, at the same time, the patterns may be easily examined.

6. No packet containing patterns of merchandize must exceed 18 inches British, or 45 centimetres, in length, width, or depth; nor must it exceed 1 pound British, or 480 grammes in weight.

Patterns of merchandize respecting which the conditions specified above are not complied with shall not be forwarded.

IX. The British Post Office shall fix, from time to time, the rates of postage to be charged on such of the patterns and samples of merchandize as may be posted within the United Kingdom, addressed to Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa; and, in like manner, the Portuguese Post Office shall fix, from time to time, the rates of postage to be charged on such of the patterns and samples of merchandize as may be posted in Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, addressed to the United Kingdom.

X. The Portuguese Post Office shall pay to the British Post Office, on such of the newspapers, books, and other printed



papers, as well as on such of the patterns of merchandize as shall originate in Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, and shall be addressed to the United Kingdom, as follows:

The sum of 300 reis for every 480 grammes, net weight, for those conveyed overland through France and Spain, or by French packet *viâ* Bordeaux;

The sum of 100 reis for every 480 grammes, net weight, for those conveyed by a British mail-packet, or by a private ship direct.

The British Post Office, on its side, shall pay to the Portuguese Post Office, on such of the newspapers, books, and other printed papers, as well as on such of the patterns of merchandize as shall originate in the United Kingdom, and shall be addressed to Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, the sum of  $2\frac{1}{2}d.$  for every pound, British, net weight, whether they are conveyed overland through France and Spain, by French packet *viâ* Bordeaux, or by a British mail-packet, or by private ship direct.

XI. It is agreed that no postage whatever shall be charged by the Portuguese Post Office upon the letters, newspapers, books, and other printed papers or patterns of merchandize originating in the United Kingdom, and which shall have been delivered by the British Office to the Portuguese Office as paid to destination; and, in like manner, that no postage whatever shall be charged by the British Post Office upon the letters, newspapers, books, and other printed papers or patterns of merchandize originating in Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, which shall have been delivered by the Portuguese Office to the British Office as paid to destination.

XII. The British and Portuguese Post Offices shall each make their own arrangements with regard to the payment of any gratuities which may become due to the commanders or masters of private ships for the conveyance of mails between the two countries. It is agreed, however, that no gratuities shall be paid by either office on the dispatch of mails by private ships, whether from Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa to the United Kingdom, or from the United Kingdom to Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa; and that the payment (if any) for such service shall be made only by the office which shall receive the mails.

XIII. The conditions laid down in Article XVI of the Convention of the 6th April, 1859, for the transmission of newspapers and other printed papers through the United Kingdom, between Portugal, Madeira, the Azores, and the Portuguese

possessions on the West Coast of Africa, and the British colonies and countries beyond sea, shall be equally applicable to book packets and patterns of merchandize which may hereafter be forwarded through the United Kingdom from Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa to British colonies and countries beyond sea, and *vice versa*.

The British Post Office shall inform the Portuguese Post Office, from time to time, to what British colonies and countries beyond sea the Portuguese Post Office may forward books and patterns of merchandize in transit through the United Kingdom.

XIV. The additional inland postage levied by the Portuguese Post Office, by virtue of Article XX of the Convention of the 6th April, 1859, upon the correspondence posted in the interior of the Kingdom of Portugal, shall be totally abolished.

The postage, as well as the scale of weight, fixed by the said Article XX for the letters, newspapers, and other printed papers mentioned therein, may be altered by the Portuguese Post Office whenever that office may think fit, provided that any alteration so made shall be in favour of the public, that is to say, in reduction of the postage, or in augmentation of the weight, at present allowed.

XV. In order to facilitate the mode of carrying into effect the stipulations of Article IV of the present Additional Convention with respect to the sums which the British and Portuguese Post Offices are to account for to each other for the letters exchanged between the United Kingdom and Portugal, Madeira, the Azores, and the Portuguese possessions on the West Coast of Africa, the two Post Offices shall hereafter consider whether it is expedient to substitute for the regulations agreed upon by Article IV above mentioned an arrangement by which payment shall be made according to the net weight of the letters; and in the event of such a mode of exchange being determined upon, the two offices shall settle from time to time, by mutual consent, the rate for each ounce or for each 30 grammes weight of letters to be paid by one office to the other upon each class of correspondence according to the route by which it is transmitted.

Each office, however, shall have the right, whenever it may think fit, to propose any alteration in the rates of accounting, or, on giving previous notice, to withdraw altogether its consent to the above-mentioned arrangement; and in the latter case full effect shall be given to the rates of accounting laid down in Article IV of this Additional Convention.

XVI. The British Post Office shall have the power to send and to receive in transit through Portugal, and in closed mails, the correspondence originating in the United Kingdom, or passing through the United Kingdom addressed to any Foreign countries to which Portugal serves or may serve as the inter-

mediary, as well as the correspondence originating in such countries addressed to the United Kingdom.

For the transit of such correspondence, the British Post Office shall pay an amount not exceeding that which is paid to the Portuguese Post Office for a similar service by the most favoured country.

XVII. The present Convention shall be carried into effect on the 1st day of August, 1866, and shall be considered as additional to the Convention of the 6th April, 1859, the provisions of which are maintained in full force in all cases where they are not altered by the present Additional Convention.

Done in duplicate in London, on the 6th day of June, and in Lisbon, on the 28th day of June, 1866.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) EDUARDO LESSA.

DETAILED REGULATIONS *arranged between the Post Office of Great Britain and the Post Office of Portugal for the execution of the Additional Convention of the 28<sup>th</sup> June, 1866.\**  
Signed at *London, June 8,* 1866.  
*Lisbon, June 30,*

ART. I. The following shall be the Regulations for the exchange of mails between the British and Portuguese Post Offices:

1st. The office of London shall exchange mails with the offices of Lisbon, Funchal and St. Vincent, by British packet, with the office of Lisbon by French packet *viâ* Bordeaux, and with the offices of Lisbon and Oporto by the route of France and Spain, as well as by private ship.

2nd. The office of Southampton shall exchange mails with the offices of Lisbon and St. Vincent by British packet, and with the offices of Lisbon and Oporto by private ship.

3rd. The office of Liverpool shall exchange mails with the office of Funchal by British packet, and with the offices of Lisbon and Oporto by private ships.

II. Independently of the offices of Exchange which are named in the preceding Article I, others may be established, by the mutual consent of the two Post Offices, at any other places on the coast, or in the interior of the two countries between which a direct communication may hereafter be deemed necessary.

III. The correspondence of every kind exchanged between the British and Portuguese Post Offices, in the regular mails, shall be forwarded on each side, in conformity with the rules laid down in the tables marked A, B, and C, annexed to the present Regulations.

\* See Page 710.

IV. The letter bills and acknowledgments of receipt for the use of the respective offices of exchange shall be made out according to the forms D, E, and F, annexed to the present Regulations.

V. The weight of the paid letters, and also the weight of the paid newspapers, books, and patterns of merchandize shall be entered in Table I of the letter bills D, E, and F, as the case may be, with all the details required by those tables.

The weight of the unpaid letters shall be entered in Table II of the letter bills D, E, and F, as the case may be, with all the details required by those tables.

The weight of the insufficiently paid letters shall be included in the weight of the unpaid letters, and shall be entered in Table II of the letter bills D, E, and F, to the credit of the dispatching office. On the other hand, the amount represented by the postage stamps affixed to such letters shall be placed by the office dispatching the mail to the credit of the office to which the mail is sent, under the Article provided for that purpose in Table I of the letter bill.

Each class or description of correspondence shall be tied up in a separate bundle with a cross string, and shall be distinguished by a proper label affixed to the outside of each bundle.

The bundles containing paid letters, books, patterns, &c., shall have attached to them a label with the word "paid"—"Franqueado."

The bundles containing unpaid letters shall have attached to them a label with the word "unpaid"—"Nas franquias."

The bundles containing insufficiently paid letters shall have attached to them a label with the words "insufficiently prepaid," or "Cartas com franquia incompleta."

VI. The amount of the deficient postage upon such of the letters as may be insufficiently prepaid, shall be marked, in black ink, on the left hand side of the address of the letters by the dispatching office. The amount of such deficient postage shall be marked in pence.

In Portugal, 20 reis shall be taken as the equivalent of each 1*d*.

VII. All registered letters forwarded from the United Kingdom to Portugal, Madeira, the Azores and the Portuguese Possessions on the West Coast of Africa, and *vice versâ*, shall be made up at the respective offices of exchange in a parcel separate from the unregistered letters, which parcel shall be tied in the usual manner, and securely sealed by the dispatching officer.

The name of the person to whom each registered letter is addressed, and the place of its destination, shall be entered in a separate letter bill, which shall be made out in the forms



marked G and H annexed to the present Regulations. This letter bill shall be enclosed in the parcel containing the registered letters.

VIII. In addition to the local and date stamp with which all ordinary or registered letters exchanged between the respective offices must be marked, such of those letters as have been paid to their destination shall bear plainly impressed on the address another stamp with the initials PD.

Newspapers, books, and patterns of merchandize paid to destination shall also bear the stamp PD.

Articles of a like nature addressed to British Colonies and countries beyond sea exchanged between the respective offices and paid to their destination shall also be marked with the stamp PD.

Registered letters forwarded from either side must in addition be marked with a special stamp bearing the word "Registered"—"Registada."

IX. Ordinary letters forwarded by way of the United Kingdom of Great Britain and Ireland, whether from the countries and colonies enumerated in Table J annexed to the present Regulations, to Portugal, Madeira, the Azores, and the Portuguese Possessions on the West Coast of Africa, or from Portugal, Madeira, the Azores, and the Portuguese Possessions on the West Coast of Africa to those same countries and colonies, shall be exchanged between the British Post Office and the Portuguese Post Office on the conditions set forth in the said table.

X. The postage of dead letters which are to be mutually returned by the two offices, in virtue of Article XXVI of the Convention of the 6th April, 1859,\* shall be allowed in discharge of the account of the office to which the said letters have been originally transmitted, only when the state of their seals shall lead to the supposition that they have been opened or read by the persons to whom they are addressed; nevertheless, letters forwarded for the purpose of annoying or injuring the parties to whom they are addressed may be included and admitted with the dead letters mutually returned, even after they have been opened.

XI. Letters not applied for, addressed "Poste Restante" or to hotels, may be kept for the space of 3 months, and then returned on either side, in the manner and under the conditions prescribed by Article XXVI of the Convention of the 6th April, 1859, and by Article X of the present Regulations.

XII. In preparing the monthly accounts between the two offices, all mails dispatched from the United Kingdom to Portugal, or *vice versâ*, during any one month, shall be brought into the account for that month.

\* See Vol. 11. Page 487.

On examining these accounts, the Portuguese Post Office shall communicate to the British Post Office, in a statement of errors, any differences which may be found.

XIII. The Detailed Regulations which were concluded between the British and Portuguese Post Offices on the 1<sup>st</sup> June, 1859, shall cease to have effect from the date of the day when the present Detailed Regulations shall be put into execution.

Done in duplicate, and signed in London the 8th day of June, and in Lisbon the 13th June, 1866.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) EDUARDO LESSA.

A.

TABLE showing the Correspondence to be included in the Mails forwarded to the British Offices of Exchange by the Portuguese Offices of Exchange.

Offices of Exchange.		Destination of the Correspondence.	
Whence dispatched.	Destination.		
Lisbon ..	Via France and Spain } London ..		The United Kingdom and Colonies and Countries beyond sea.
Oporto ..			
*Lisbon ..	By Packet to Southampton } London ..		The United Kingdom generally (excepting the Town of Southampton), and Colonies and Countries beyond sea.
*Lisbon ..			
Funchal ..	Liverpool .. ..		The Town of Southampton.
Funchal ..	London .. ..		The United Kingdom except London.
St. Vincent..	London .. ..		London and Colonies and Countries beyond sea.
St. Vincent..	Southampton .. ..		The United Kingdom generally (excepting the Town of Southampton), and Colonies and Countries beyond sea.
Lisbon ..	By Private Ship } London ..		The Town of Southampton.
Oporto ..			
	Southampton ..		The United Kingdom generally, and Colonies and Countries beyond sea, specially addressed to be forwarded by Private Ship.
	Liverpool ..		Do.
			Do.

\* Whenever the words "via Southampton" are written on the address of letters, newspapers, &c.

## B.

TABLE showing the Correspondence to be included in the Mails forwarded to the Portuguese Offices of Exchange by the British Offices of Exchange.

Offices of Exchange.		Destination of the Correspondence.
Whence despatched.	Destination.	
London .. ..	<i>Via</i> France and Spain.	Lisbon.. ..
London .. ..	By Packet from South- ampton.	Oporto .. ..
*London .. ..		Lisbon.. ..
*Southampton ..		
London .. ..	Funchal .. ..	
Liverpool .. ..	St. Vincent .. ..	
London .. ..		
Southampton ..	By Private Ship	Lisbon .. ..
London .. ..		
Southampton ..		
Liverpool .. ..	Oporto .. ..	

\* Whenever the words "*via* Southampton" are written on the address of Letters, Newspapers, &c.

## C.

LIST of Places the Correspondence for which is to be forwarded in the Mails for Oporto.

Alijo.	Leça.	Ponte da Barca.
Amarante.	Lixa.	Ponte do Lima.
Arcos de Val de Vez.	Louzada.	Porto.
Barcellos.	Macedo de Cavalleiros.	Povoa de Varzim.
Braga.	Martha (Santa) de Penaguião.	Provezende.
Bragança.	Mattozinhos.	Ruivães.
Cabeceiras de Basto.	Melgaço.	Sabrosa.
Caminha.	Mezão Frio.	Thyrso (Santo).
Canellas.	Miranda do Douro.	Valença.
Carrazeda de Anciaes.	Mirandella.	Vianna do Costello.
Castro Laboreiro.	Mogadouro.	Villa do Conde.
Calorico de Basto.	Monção.	Villa Nova da Cerveira.
Chacim.	Mondim de Basto.	Villa Nova de Famalicão.
Chaves.	Montalegre.	Villa Nova de Gaia.
Cruz (Santa).	Murça.	Villa Pouca de de Aguiar.
Espozende.	Paredes.	Villa Real.
Fafe.	Paredes de Coura.	Villa Verde.
Felgueiras.	Penafiel.	Vinhaes.
Foz (S. João da).	Pezo da Regoa.	
Guimaraes.		





## ACKNOWLEDGMENT OF RECEIPT.

*For the Correspondence between Portugal and the United Kingdom via France.*

Post Office \_\_\_\_\_ 186 .  
The Mail from \_\_\_\_\_ of \_\_\_\_\_ has been received, containing  
the following Articles, viz. :—

TABLE No. 1.—PAID LETTERS, &amp;c., to the CREDIT of the BRITISH OFFICE.

1. Paid letters for the United Kingdom at \_\_\_\_\_ per 30 grammes ..
2. Letters bearing postage stamps insufficient for their pre-payment, the value of which stamps is placed to the credit of the United Kingdom ..
3. Paid letters for British Colonies and Foreign Countries in transit through the United Kingdom .. ..
4. Book packets, including newspapers and printed papers of every kind, and patterns of merchandize for the United Kingdom at 300 reis per 480 grammes .. ..
5. Book packets, including newspapers and printed papers of every kind, and patterns of merchandize for British Colonies and Foreign Countries in transit through the United Kingdom

Reis. Grammes  
at 300 per 480a  
do. b  
at 400  
do. c  
at 420  
do. d  
at 496

Statement by the Portuguese Office.		Verification by the British Office.	
Ordinary Letters.	Registered Letters.	Ordinary Letters.	Registered Letters.
Grammes	Grammes	Grammes	Grammes
Reis.		Reis.	
£	s.	£	s.
Grammes.		Grammes.	
lbs.		lbs.	
ozs.		ozs.	
Reis.		Reis.	

TABLE No. 2.—UNPAID LETTERS, to the CREDIT of the PORTUGUESE OFFICE.

6. Unpaid letters, including letters insufficiently paid by means of postage stamps, for the United Kingdom at \_\_\_\_\_ per ounce .. ..
7. Unpaid letters for British Colonies and Foreign Countries in transit through the United Kingdom at \_\_\_\_\_ per ounce .. ..
8. Mis-sent and redirected letters, book packets, &c. ... ..

Number of registered letters received in the Mail \_\_\_\_\_.

a Book packets (including newspapers) and patterns of merchandize paid to the port of embarkation in England.

b Book packets (including newspapers) and patterns of merchandize to be forwarded by means of British packets or private ships, addressed to countries other than those specified in notes (c) and (d) below.

c Book packets (including newspapers) and patterns of merchandize to be forwarded by the route of Suez, addressed to countries in the Indian or China Ocean, or to Australia.

d Book packets (including newspapers) and patterns of merchandize to be forwarded by the route of Panama, addressed to the West Coast of America.

## E.—LETTER BILL.

*For the Correspondence between the United Kingdom and Portugal by Packet.*

Mail for \_\_\_\_\_ by the Packet “\_\_\_\_\_”

Post Office \_\_\_\_\_ 186 .

The following Articles are sent herewith, the receipt of which it is requested may be acknowledged, viz. :—

	Statement by the British Office.		Verification by the Portuguese Office.	
	Ordinary Letters.	Registered Letters.	Ordinary Letters.	Registered Letters.
	lbs. ozs.	lbs. ozs.	lbs. ozs.	lbs. ozs.
<b>TABLE No. 1.—PAID LETTERS, &amp;c., to the CREDIT of the PORTUGUESE OFFICE.</b>				
1. Paid letters from the United Kingdom and from British Colonies and Foreign Countries in transit through the United Kingdom at _____ per ounce .. .. .				
2. Letters bearing postage stamps insufficient for their prepayment, the value of which stamps is placed to the credit of Portugal .. .. .	£	s. d.	£	s. d.
3. Book packets, including newspapers and printed papers of every kind, and patterns of merchandize at 2½d. per pound .. .. .	lbs.	ozs.	lbs.	ozs.
	Grammes.		Grammes.	
<b>TABLE No. 2.—UNPAID LETTERS, &amp;c., to the CREDIT of the BRITISH OFFICE.</b>				
4. Unpaid letters, including letters insufficiently paid by means of postage stamps, from the United Kingdom, at _____ per 30 grammes .. .. .				
5. Unpaid letters from British Colonies and Foreign Countries in transit through the United Kingdom .. .. .	£	s. d.	£	s. d.
6. Book packets, including newspapers and printed papers of every kind, and patterns of merchandize from British Colonies and Foreign Countries in transit through the United Kingdom )	Grammes.		Grammes.	
Reis. Grammes.				
at 100 per 480a				
at 200 do. b				
at 220 do. c				
at 296 do. d				
7. Mis-sent and redirected letters, book packets, &c. . . . .	£	s. d.	£	s. d.

Registered letters are sent herewith the addresses of which are entered on a separate list.

a Book packets (including newspapers) and patterns of merchandize paid to port of disembarkation in England.

b Book packets (including newspapers) and patterns of merchandize received by means of British packets or private ships, and coming from countries other than those specified in notes (c) and (d) below.

c Book packets (including newspapers) and patterns of merchandize received by the route of Suez, and coming from countries in the Indian or China Ocean, or from Australia.

d Book packets (including newspapers) and patterns of merchandize received by the route of Panama, and coming from the West Coast of America.

ACKNOWLEDGMENT OF RECEIPT.

*For the Correspondence between Portugal and the United Kingdom by Packet.*

Post Office \_\_\_\_\_ 186 .

The mail from \_\_\_\_\_ of \_\_\_\_\_ by the packet \_\_\_\_\_  
has been received containing the following Articles, viz. :

TABLE No. 1.—PAID LETTERS, &c., to CREDIT of the BRITISH OFFICE.	Statement by the Portuguese Office.			Verification by the British Office.		
	Ordinary Letters.	Registered Letters.		Ordinary Letters.	Registered Letters.	
	Grammes.	Grammes.		Grammes.	Grammes.	
1. Paid letters for the United Kingdom at _____ per 30 grammes .. ..	Reis.			Reis.		
2. Letters bearing postage stamps in- sufficient for their prepayment, the value of which stamps is placed to the credit of the United Kingdom						
3. Paid letters for British Colonies and Foreign Countries in transit through the United Kingdom .. ..	£	s.	d.	£	s.	d.
4. Book packets, including newspapers and printed papers of every kind, and patterns of merchandize for the United Kingdom, at 100 reis per 480 grammes .. ..	Grammes.			Grammes.		
5. Book packets, in- cluding newspa- pers and printed papers of every kind, and patterns of merchandize for British Colo- nies and Foreign Countries in tran- sit through the United Kingdom.	Reis. Grammes. at 100 per 480 <i>a</i> at 200 do. <i>b</i> at 220 do. <i>c</i> at 296 do. <i>d</i>					
TABLE No. 2.—UNPAID LETTERS to the CREDIT of the PORTUGUESE OFFICE.						
6. Unpaid letters, including letters in- sufficiently paid by means of postage stamps, for the United Kingdom, at _____ per ounce .. ..	lbs.	ozs.		lbs.	oz.	
7. Unpaid letters for British Colonies and Foreign Countries in transit through the United Kingdom at _____ per ounce .. ..						
8. Mis-sent and redirected letters, book packets, &c. .. ..	Reis.			Reis.		

Number of registered letters received in the mail \_\_\_\_\_.

*a* Book packets (including newspapers) and patterns of merchandize paid to the port of embarkation in England.

*b* Book packets (including newspapers) and patterns of merchandize to be forwarded by means of British packets or private ships addressed to countries other than those specified in notes (*c*) and (*d*) below.

*c* Book packets (including newspapers) and patterns of merchandize to be forwarded by the route of Suez, addressed to countries in the Indian or China Ocean, or to Australia.

*d* Book packets (including newspapers) and patterns of merchandize to be forwarded by the route of Panama, addressed to the West Coast of America.





## ACKNOWLEDGMENT OF RECEIPT.

*For the Correspondence between Portugal and the United Kingdom by Private Ship.*  
Post Office " \_\_\_\_\_ " 186 .

The Mail from \_\_\_\_\_ of \_\_\_\_\_ by the Ship \_\_\_\_\_  
has been received, containing the following Articles, viz. :

TABLE NO. 1.—PAID LETTERS, &c., to the CREDIT of the BRITISH OFFICE.	Statement by the Portuguese Office.			Verification by the British Office.		
	Ordinary Letters.	Registered Letters.		Ordinary Letters.	Registered Letters.	
	Grammes.	Grammes.		Grammes.	Grammes.	
	Reis.			Reis		
	£	s.	d.	£	s.	d.
1. Paid letters for the United Kingdom, at _____ per 30 grammes..	Grammes.			Grammes.		
2. Letters bearing postage stamps insufficient for their prepayment, the value of which stamps is placed to the credit of the United Kingdom ..	Grammes.			Grammes.		
3. Paid letters for British Colonies and Foreign Countries in transit through the United Kingdom .. ..	Grammes.			Grammes.		
4. Book packets, including newspapers and printed papers of every kind, and patterns of merchandize for the United Kingdom, at 100 reis per 480 grammes.. .. .	Grammes.			Grammes.		
5. Book packets, including newspapers and printed papers of every kind, and patterns of merchandize for British Colonies and Foreign Colonies in transit through the United Kingdom	Reis. Grammes.			Reis. Grammes.		
at 100 per 480 <sup>a</sup>	at 100 per 480 <sup>a</sup>			at 100 per 480 <sup>a</sup>		
of merchandize	at 200 do. <sup>b</sup>			at 200 do. <sup>b</sup>		
for British Colonies and Foreign Colonies in transit through the United Kingdom	at 220 do. <sup>c</sup>			at 220 do. <sup>c</sup>		
	at 296 do. <sup>d</sup>			at 296 do. <sup>d</sup>		
TABLE NO. 2.—UNPAID LETTERS to the CREDIT of the PORTUGUESE OFFICE.						
6. Unpaid letters, including letters insufficiently paid by means of postage stamps, for the United Kingdom, at _____ per ounce .. ..	lbs. ozs.			lbs. ozs.		
7. Unpaid letters for British Colonies and Foreign Countries in transit through the United Kingdom, at _____ per ounce .. ..	Reis.			Reis.		
8. Mis-sent and re-directed letters, book packets, &c. .. ..	Reis.			Reis.		

Number of Registered Letters received in the Mail \_\_\_\_\_ .

<sup>a</sup> Book packets (including newspapers) and patterns of merchandize paid to the port of embarkation in England.

<sup>b</sup> Book packets (including newspapers) and patterns of merchandize to be forwarded by means of British packets or private ships, addressed to countries other than those specified in notes (c) and (d) below.

<sup>c</sup> Book packets (including newspapers) and patterns of merchandize to be forwarded by the route of Suez, addressed to countries in the Indian or China Ocean, or to Australia.

<sup>d</sup> Book packets (including newspapers) and patterns of merchandize to be forwarded by the route of Panama, addressed to the West Coast of America.

## PORTUGAL.

## G.—LETTER BILL.

*For Registered Letters between the United Kingdom and Portugal.*

Mail from \_\_\_\_\_ to \_\_\_\_\_ by \_\_\_\_\_  
 Post Office \_\_\_\_\_ the \_\_\_\_\_ of \_\_\_\_\_ 18 .

The following Registered Letters are sent herewith.

Number.	Origin.	To whom addressed.	Destination.
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			

\_\_\_\_\_  
 (Signature of dispatching officer.)

## H.—LETTER BILL.

*For Registered Letters between Portugal and the United Kingdom.*

Mail from \_\_\_\_\_ to \_\_\_\_\_ by \_\_\_\_\_  
 Post Office \_\_\_\_\_ the \_\_\_\_\_ of \_\_\_\_\_ 18 .

The following Registered Letters are sent herewith.

Number.	Origin.	To whom addressed.	Destination.
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			

\_\_\_\_\_  
 (Signature of dispatching officer.)

(J.)—TABLE showing the Conditions on which shall be exchanged between the British Post Office and the Portuguese Post Office, Ordinary Letters despatched from the Countries the Correspondence of which is transmitted through Great Britain for Portugal, and vice versa.

The Rates in Columns 4 and 13 increase according to two different principles. The sum of 54d. out of each Rate in Column 4, and the sum of 44d. out of each Rate in Column 13, are chargeable by 7½ grammes, and the remainder of the Rate by 15 grammes. The Rates in Columns 7 and 15 increase wholly by the quarter ounce. A full Rate is chargeable for every quarter of an ounce. The Rates in Columns 5, 6, 13, and 14, increase wholly by 15 grammes, and those in Columns 8, 9, 16, and 17, increase wholly by the half ounce. A full Rate is chargeable for every 15 grammes or half ounce, as the case may be. In exception to the foregoing, the Rates marked thus (\*) in Columns 4 and 13 increase wholly by 7½ grammes; and those marked thus (†) in Columns 5, 6, 13, and 14 increase according to two different principles, 6d. out of each Rate being charged by the quarter ounce, and the remainder of the Rate by 15 grammes.

Letters delivered by the British Office to the Portuguese Office.										Letters delivered by the Portuguese Office to the British Office.									
COUNTRIES.	Regulation as to Payment in advance.	To what Limit.	Rate of Postage to be paid by the Portuguese Office to the British Office for an unpaid Letter.				Regulation as to Payment in advance.	To what Limit.	Rate of Postage to be paid by the Portuguese Office to the British Office for a paid Letter.				Regulation as to Payment in advance.	To what Limit.	Rate of Postage to be paid by the Portuguese Office to the British Office for a paid Letter.				
			Not exceeding 15 grammes.		Not exceeding ¼ oz.				Not exceeding 13 grammes.		Not exceeding ¼ oz.								
			When sent via France.	When sent by Packet.	When sent by Private Ship.	When sent via France.			When sent by Packet.	When sent by Private Ship.	When sent via France.	When sent by Packet.			When sent by Private Ship.				
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.			
Antigua, Bahamas, Barbadoes, Bermuda, British Guiana, Cayman, Dominica, Grenada, Jamaica, Montserrat, Nevis, St. Christopher (St. Kitt's), St. Lucia, St. Vincent, Tobago, Tortola, Trinidad	Optional	Destination	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	10.	11.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.			
Canada (by Canadian Packet) via United States	Do.	Do.	0 10½	0 11	0 9	0 1½	0 1	0 3	Do.	Do.	0 9½	0 10	0 8	0 2½	0 2	0 4			
Nova Scotia, New Brunswick, Prince Edward Island, States.	Do.	Do.	0 10½	0 11	0 9	0 1½	0 1	0 3	Do.	Do.	0 11½	0 10	0 8	0 2½	0 2	0 4			
Newfoundland	Do.	Do.	0 10½	0 11	0 9	0 1½	0 1	0 3	Do.	Do.	0 9½	0 10	0 8	0 2½	0 2	0 4			
Cape of Good Hope, Natal, St. Helena	Do.	Do.	1 4½	1 5	1 3	0 1½	0 1	0 3	Do.	Do.	1 3½	1 4	1 2	0 2½	0 2	0 4			
Lagos, Liberia, Gold Coast, Sierra Leone, Gambia, Gibralt., Falkland Islands	Do.	Do.	0 10½	0 11	0 9	0 1½	0 1	0 3	Do.	Do.	0 9½	0 10	0 8	0 2½	0 2	0 4			
The Canary Islands	Do.	Do.	0 10½	0 11	0 9	0 1½	0 1	0 3	Do.	Do.	0 9½	0 10	0 8	0 2½	0 2	0 4			
United States of America, including California and Oregon	Do.	English Port of Disembarkation.	0 10½	0 11	0 9	0 1½	0 1	0 3	Do.	Do.	0 9½	0 10	0 8	0 2½	0 2	0 4			
United States of America, including California and Oregon	Do.	United States Port of Disembarkation.	1 1½	1 2	1 0	—	—	—	Do.	Do.	1 0½	1 1	0 11	—	—	—			





**BRITISH TREASURY WARRANT** *fixing the Rates of Postage on Letters transmitted between the United Kingdom, or British Colonies and Foreign Countries through the United Kingdom and Portugal, Madeira, the Azores, or the Portuguese Possessions on the West Coast of Africa; and on Newspapers, Books, &c., and Patterns or Samples from the United Kingdom to Portugal, or to the Portuguese Possessions; and also on Letters, Newspapers, and Books, &c., transmitted between Portugal, &c., and British Colonies or Foreign Countries beyond sea, without passing through the United Kingdom. July 23, 1866.*

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WHEREAS by an Act of Parliament, made and passed in the session of Parliament holden in the 3rd and 4th years of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage payable by law on the transmission by the post of *Foreign* and *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act made and passed in the session of Parliament holden in the 10th and 11th years of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament, made and passed in the 18th year of the reign of Her Majesty, chapter 27,‡ for amending the laws relating to the stamp duties on newspapers, and for providing for the transmission by post of printed periodical publications.

And whereas a Convention hath been lately made and concluded between the General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of the Kingdom of *Portugal*,§ for the purpose of improving the postal service between the United Kingdom and *Portugal*, and it is expedient for the better carrying out of the same that certain

\* See Vol. 5. Page 248.

† See Vol. 10. Page 320.

‡ See Vol. 8. Page 247.

§ See Page 710.

regulations should be made in the manner hereinafter mentioned and contained.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said herebefore recited Acts of Parliament respectively, and all and every, or some or one of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners (by the authority of the Statute in that case made and provided), order, declare, and direct as follows, that is to say:—

1. On every letter not exceeding  $\frac{1}{4}$  of an ounce in weight, posted in the United Kingdom, addressed to any place in *Portugal, Madeira, the Azores* or the *Portuguese* possessions, on the *West Coast of Africa*, or posted in *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom and any place in *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, viâ *France* and *Spain*, or viâ *France* and by French packet boat, there shall be charged, taken, and paid an uniform rate of postage (British and *Foreign* combined) of 6*d.*, if such respective letters be prepaid, and if such respective letters be not prepaid, an uniform rate of postage (British and *Foreign* combined) of 8*d.*

2. On every letter not exceeding  $\frac{1}{4}$  of an ounce in weight, posted in any place in *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, addressed to any of Her Majesty's Colonies, or any *Foreign* country, or posted in any of Her Majesty's Colonies, or any *Foreign* country, addressed to any place in *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and transmitted by the post between any place in *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and any of Her Majesty's Colonies, or any *Foreign* country through the United Kingdom, the said respective letters being conveyed between *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and the United Kingdom viâ *France* and *Spain*, or viâ *France* and by French packet-boat, there shall be charged, taken, and paid for such transmission thereof between *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and the United Kingdom, an uniform rate of postage (British and *Foreign* combined) of 6*d.*, if such respective letters be prepaid, and if such respective letters be not prepaid, an uniform rate of postage (British and *Foreign* combined) of 8*d.*

3. On every letter so transmitted, as is hereinbefore in the 1st and 2nd clauses of this Warrant respectively mentioned, between the United Kingdom and *Portugal, Madeira, the Azores*,

or the *Portuguese* possessions on the *West Coast of Africa*, if exceeding  $\frac{1}{4}$  of an ounce in weight, there shall be charged, taken, and paid the several further and additional and progressive rates of postage according to the scale of weight and number of rates hereinafter mentioned; that is to say:

On every such letter so transmitted exceeding a  $\frac{1}{4}$  of an ounce and not exceeding  $\frac{1}{2}$  of an ounce in weight, 2 rates of postage;

On every such letter so transmitted exceeding  $\frac{1}{2}$  of an ounce and not exceeding  $\frac{3}{4}$  of an ounce in weight, 3 rates of postage;

On every such letter so transmitted exceeding  $\frac{3}{4}$  of an ounce and not exceeding 1 ounce in weight, 4 rates of postage;

And for every  $\frac{1}{4}$  of an ounce in weight of any such letter above the weight of 1 ounce, there shall be charged, taken, and paid 1 additional rate of postage, and in charging any additional rate of postage, every fractional part of such additional  $\frac{1}{4}$  of an ounce shall be charged as an additional  $\frac{1}{4}$  of an ounce in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant if not exceeding a  $\frac{1}{4}$  of an ounce in weight.

4. On every letter not exceeding  $\frac{1}{2}$  of an ounce in weight, posted in the United Kingdom, addressed to any place in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, or posted in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom and any place in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa* by British packet boat direct, or by private ship direct, there shall be charged, taken, and paid an uniform rate of postage (British and *Foreign* combined) of 6*d.* if such respective letters be prepaid, and if such respective letters be not prepaid, an uniform rate of postage (British and *Foreign* combined) of 8*d.*

5. On every letter not exceeding  $\frac{1}{2}$  of an ounce in weight, posted in any place in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, addressed to any of Her Majesty's *Colonies* or any *Foreign* country, or posted in any of Her Majesty's *Colonies* or any *Foreign* country addressed to any place in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and transmitted by the post between any place in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and any of Her Majesty's *Colonies* or any *Foreign* country, through the United Kingdom, the said respective letters being conveyed between *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and

the United Kingdom, by British packet boat direct, or by private ship direct, there shall be charged, taken, and paid, for such transmission thereof between *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and the United Kingdom, an uniform rate of postage (British and *Foreign* combined) of 6*d.*, if such respective letters be prepaid, and if such respective letters be not prepaid, an uniform rate of postage (British and *Foreign* combined) of 8*d.*

6. On every letter posted in any place in *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, addressed to any of Her Majesty's Colonies or any *Foreign* country, or posted in any of Her Majesty's Colonies or any *Foreign* country, addressed to any place in *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and transmitted by the post between any place in *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and any of Her Majesty's Colonies or any *Foreign* country, through the United Kingdom, the said respective letters being conveyed between *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and the United Kingdom, viâ *France* and *Spain*, or viâ *France*, and by French packet boat or by British packet boat direct, or by private ship direct, there shall be charged, taken, and paid, over and above the uniform rates of postage payable thereupon respectively under the provisions of this Warrant hereinbefore contained, for the transmission thereof between *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and the United Kingdom, such further or additional rates of postage for the conveyance of every such letter between the port in the United Kingdom of the departure or arrival of the packet or vessel (not being a packet boat) conveying the same and the *Colony* or *Foreign* country to or from which the same shall be forwarded, as shall from time to time be charged and payable for postage on letters posted or delivered at the port in the United Kingdom of the departure or arrival of the packet or vessel (not being a packet boat) conveying the same, and transmitted direct between such port and any such *Colony* or *Foreign* country: Provided, that in all cases where such additional rates include both inland and sea services, there shall be deducted therefrom the sum of 1*d.* in respect of the inland conveyance, under this clause, of every such letter sent through the United Kingdom.

7. On every such letter so transmitted as hereinbefore in the 4th and 5th clauses of this Warrant respectively mentioned, between the United Kingdom and *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, if exceeding  $\frac{1}{2}$  of an ounce in weight, there shall be charged, taken, and paid the several further and additional and



progressive rates of postage hereinafter mentioned; that is to say:

On every such letter, if exceeding  $\frac{1}{2}$  of an ounce and not exceeding 1 ounce in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such letter, if exceeding 1 ounce and not exceeding 1 ounce and the  $\frac{1}{2}$  of another ounce in weight, 3 rates of postage:

And on every such letter, if exceeding 1 ounce and the  $\frac{1}{2}$  of another ounce and not exceeding 2 ounces in weight, 4 rates of postage;

And for every additional  $\frac{1}{2}$  of an ounce in weight of any such letter above the weight of 2 ounces, there shall be charged, taken, and paid 1 additional rate of postage; and every fractional part of such additional  $\frac{1}{2}$  of an ounce in weight shall be charged as an additional  $\frac{1}{2}$  of an ounce in weight, and each progressive and additional rate chargeable under this clause, shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding  $\frac{1}{2}$  of an ounce in weight.

8. If any letter shall be posted in the United Kingdom, addressed to any place in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, or shall be posted in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, addressed to the United Kingdom, for transmission by the post under the authority of this Warrant, and the postage stamp or stamps affixed thereto shall represent a less amount than the rate of postage, to which the same would be liable under or by virtue of this Warrant, every such letter shall be charged with postage as an unpaid letter, and the amount of such postage paid thereon or stamp or stamps affixed thereto shall be allowed and deducted in charging such postage thereon.

9. Registered letters may be transmitted by the post under the authority of this Warrant upon the payment of such additional charges, or rates of postage or otherwise, as the Postmaster-General may from time to time direct or appoint in that behalf: Provided that all rates of postage, and additional charges or rates from time to time payable thereupon, shall be prepaid, and that no payment shall be made thereupon on the delivery of any such registered letters.

10. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions or privileges granted by or under the said hereinbefore-recited Acts, or either of them, or by or under any other Acts of Parliament relating to the Post Office, or to annul, prejudice, or affect any of the privileges which officers, seamen, and soldiers employed in Her Majesty's service are by law entitled to, of sending and receiving letters by the post, subject to the regulations and

restrictions made and in force for the time being in respect of the same.

11. On every packet consisting of a printed British newspaper, not exceeding 4 ounces in weight, posted in the United Kingdom addressed to any place in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and transmitted by the post from any part of the United Kingdom to any place in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, viâ *France* and *Spain*, or viâ *France* and by French packet boat, there shall be charged, taken, and paid an uniform rate of postage (British and *Foreign* combined) of 3*d.*, and on every such packet not exceeding 4 ounces in weight when transmitted by British packet boat direct, or by private ship direct, there shall be charged, taken, and paid an uniform rate of postage (British and *Foreign* combined) of 2*d.* and every such packet as is in this clause mentioned shall be transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions, hereinafter mentioned and contained relating thereto.

12. All packets consisting of printed papers other than British newspapers, or consisting of patterns or samples of merchandize of no intrinsic value, not exceeding 4 ounces in weight, posted in the United Kingdom addressed to any place in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, may be transmitted by the post from any part of the United Kingdom to any place in *Portugal*, *Madeira*, the *Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto, and there shall be charged, taken, and paid for the transmission of every such packet when forwarded viâ *France* and *Spain*, or viâ *France* and by French packet boat, an uniform rate of postage (British and *Foreign* combined) of 4*d.*, and when forwarded by British packet boat direct, or by private ship direct, an uniform rate of postage (British and *Foreign* combined) of 3*d.*

13. All packets transmitted respectively under the authority of the 11th and 12th clauses of this Warrant, hereinbefore respectively contained, shall, if exceeding the weight of 4 ounces, respectively be subject to the several further and additional and progressive rates of postage hereinafter mentioned, that is to say :

On every such packet so transmitted, if exceeding 4 ounces and not exceeding 8 ounces in weight, there shall be charged, taken, and paid 2 rates of postage ;

And on every such packet, if exceeding 8 ounces and not exceeding 12 ounces in weight, there shall be charged, taken, and paid 3 rates of postage ;

And on every such packet, if exceeding 12 ounces and not exceeding 16 ounces in weight, there shall be charged, taken, and paid 4 rates of postage;

And in charging any additional rates of postage under this clause every fractional part of every additional 4 ounces shall be charged as an additional 4 ounces in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 4 ounces in weight.

14. All packets consisting of printed papers other than British newspapers not exceeding 2 ounces in weight, posted in any of Her Majesty's Colonies, addressed to *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, and transmitted by the post from any of such colonies to *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, through the United Kingdom, shall, and may be so transmitted respectively, in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter-mentioned and contained relating thereto, and there shall be charged, taken, and paid, for the transmission of every such packet, an uniform rate of postage (British and *Foreign* combined) of 2*d*.

15. All packets transmitted by the post under the 14th clause of this Warrant, shall, if exceeding the weight of 2 ounces respectively, be subject to the several further and additional and progressive rates of postage hereinafter-mentioned, that is to say:

On every such packet so transmitted, if exceeding 2 ounces and not exceeding 4 ounces in weight, there shall be charged, taken, and paid, 2 rates of postage;

And on every such packet, if exceeding 4 ounces and not exceeding 8 ounces in weight, 4 rates of postage;

And on every such packet, if exceeding 8 ounces and not exceeding 16 ounces in weight, 8 rates of postage;

And in charging any additional rates of postage under this clause, every fractional part of such additional 2 ounces, 4 ounces, or 8 ounces, as the case may be, shall be charged as an additional 2 ounces, 4 ounces, or 8 ounces in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 2 ounces in weight.

16. As to all packets hereinbefore in the 11th, 12th, 13th, 14th, and 15th clauses of this Warrant respectively authorized to be sent by the post, the postage thereof shall in every case be paid at the time of the same being posted, and with respect to all such packets as are posted in the United Kingdom, the

postage thereof shall be paid, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed, or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon, under or by virtue of this Warrant (unless any such packet be sent from any department or office in or connected with the public service of Her Majesty, which shall have a postage account with the General Post Office in London, in which case the same shall be forwarded post paid, and the postage thereof shall be charged in such postage account).

17. For the purposes of this Warrant every printed British newspaper transmitted by the post under the provisions of this Warrant shall be deemed and considered a packet, and shall be charged and chargeable with a separate and distinct single rate, or separate and distinct progressive and additional rates, of postage, according to the weight thereof, as hereinbefore respectively mentioned, notwithstanding two or more newspapers shall be enclosed and transmitted in one and the same cover, wrapper, envelope, or bundle, and form only one parcel or bundle of newspapers; and every printed supplement or additional sheet to any such newspaper shall, for the purpose of charging the postage under this Warrant, be deemed a distinct newspaper, unless sent in the same cover or together with the newspaper to which it is a supplement or addition.

18. Every packet consisting of a printed British newspaper, or of printed papers other than British newspapers, which shall be respectively transmitted by the post under the provisions of this Warrant, shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions following, that is to say:

Every British newspaper shall be printed and published at intervals not exceeding 31 days between any two consecutive numbers or parts of such publication, and the same shall be registered at the General Post Office in London, and shall be posted within 15 days from the date of its publication; and the title and date of the newspaper shall be printed at the top of every page thereof.

Every packet shall be sent open at the ends or sides, and either without a cover or in a cover or envelope open at the ends or sides, and there shall be no written letter, either closed or open, nor any written communication in the nature of a letter, either closed or open (whether such letter or communication be addressed to or intended for the person to whom the packet shall be directed or any other person), nor any inclosure sealed or otherwise closed against inspection, nor any other inclosure not authorized by this Warrant sent in or with any



such packet; nor shall there be any word or communication printed on the contents of any such packet after the publication thereof, nor any writing, figures, or marks upon any such contents, or the cover thereof, not authorized by this Warrant, except the name and address of the person to whom the same is sent; but the name or title of any newspaper, and the name and address of the publisher, newsvendor, or agent by whom the same is sent, may be printed on the cover thereof, and any packet of printed papers, other than a printed British newspaper, may have any matter or thing printed on the cover thereof.

No packet shall be transmitted by the post under the provisions of this Warrant which shall exceed the weight of 1 pound (British), or which shall exceed 18 inches (British) in length, width, or depth.

Every packet transmitted by the post under the provisions of this Warrant shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

19. Every packet consisting of patterns or samples of merchandize which shall be transmitted by the post, under the provisions of this Warrant, shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions following, that is to say:

No such packet shall be transmitted by the post under the authority of this Warrant, which shall exceed the weight of 1 pound (British), or which shall exceed 18 inches (British) in length, width, or depth;

There shall be no inclosure sealed or otherwise closed against inspection and examination, nor any other inclosure not authorized by this Warrant sent in or with any such packet;

No such pattern or sample of merchandize shall be of any intrinsic value, and no article so transmitted shall be of a saleable nature, or such as has any mercantile value, either by reason of its quality or its quantity, or of which any use might be made otherwise than as a pattern or sample of merchandize;

There shall be no writing or printing upon any such packet, or the cover thereof, or contained therein, except the address of the person for whom it is intended, the address of the sender thereof, and a manufacturer's or trade mark, and number and price of the pattern or sample; and every such manufacturer's or trade mark, number, and price shall be written or printed on labels, attached to such patterns or samples, or to the bags or boxes containing the same, and not on loose pieces of paper or other material;

All such packets shall be sent in covers, open at the ends so as to be easy of examination, nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in

open covers, may be enclosed in boxes or in bags of linen, paper, or other material, which shall be tied with a string or otherwise fastened in such a manner that they may be readily opened, and closed bags if transparent may be used for this purpose;

No article which might injure the contents of the mail bags, or the persons of the officers of the Post Office shall be transmitted by the post, under the authority of this Warrant, nevertheless, any packet containing any razor, scissors, knife, fork, or other sharp or pointed instrument, keys, watch machinery, metal, metal tubing, or ore, or such like, shall and may (notwithstanding anything in a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 28th day of November, 1844,\* contained to the contrary) be transmitted by the post, under the authority of this Warrant, subject to the several orders, directions, regulations, and restrictions herein mentioned and contained relating thereto; provided that every such article or instrument so contained in any such packet shall be securely packed and guarded, and every such packet shall not only conform in every respect to the several orders, directions, regulations, and restrictions herein contained, but the same shall also furnish sufficient protection against injury to the officers of the Post Office, and to the contents of the mail bags, while, at the same time, the patterns or samples may be easily examined; provided always, that nothing herein contained shall extend to authorize the transmission by the post of any packet containing any explosive or other dangerous material or substance.

20. If any packet sent or tendered or delivered in order to be sent by the post, under the provisions of this Warrant, otherwise than in conformity with the conditions and regulations applicable thereto, established by or under clauses 16, 18, and 19 of this Warrant, the same shall and may be detained and opened at any place in the United Kingdom, and at the option of the Postmaster-General, shall be detained and opened and returned or given up to the sender thereof.

21. In order to prevent any obstacle to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post, under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, or, at his option, until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

22. In all cases in which any question shall hereafter arise whether any packet, or anything contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and

\* See Vol. 7. Page 622.

meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive on all parties.

23. All letters, printed newspapers, and other printed papers transmitted by the post from or to *Portugal, Madeira, the Azores*, or the *Portuguese* possessions on the *West Coast of Africa*, to or from any of Her Majesty's colonies or *Foreign* countries beyond sea by British packet-boat, without passing through the United Kingdom, and all letters, printed newspapers, and other printed papers, transmitted by the post from or to *Portugal*, and conveyed by British packet-boat between *Gibraltar* and the *Mediterranean* or the *East Indies*, or other places to the eastward of *Suez*, shall be charged and chargeable with the following rates of postage, that is to say,—with a rate of postage of 360 reis Portuguese currency for every British ounce weight of letters so transmitted, and with a rate of postage of 100 reis Portuguese currency for every British pound weight of printed newspapers or other printed papers so transmitted.

24. The term “printed papers” when used in this Warrant shall mean, comprise, and include periodical works other than newspapers, books, stitched or bound, prices current, sheets of music, maps, catalogues, prospectuses, announcements, and any other kind of printed papers, as also engravings, lithographs, and photographs, on paper, parchment, or vellum, and also when contained in any packet consisting of unbound proof sheets only, any ordinary corrections in writing of such unbound proof sheets; but shall not mean, comprise, or include any photographs, drawings, prints, or other articles which may be obviously of an obscene character; and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said recited Act, passed in the 4th year of the reign of Her Majesty, cap. 96.

25. The rates of postage fixed by this present Warrant on the letters and packets transmitted as herein respectively mentioned, shall be, in lieu of any rates now chargeable thereon under a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 14th day of June, 1859, and the same, together with such last-mentioned Warrant, shall be, and the same are hereby repealed, revoked, and annulled.

26. The Commissioners, for the time being, of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, or conditions in lieu thereof, and may from time to time appoint at what time the rates which may be payable are to be paid.

27. This Warrant shall come into operation on the 1st day of August, 1866.

Whitehall Treasury Chambers, the 23rd day of July, 1866.

GERARD NOEL.

HENRY WHITMORE.

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## PRUSSIA.

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CONVENTION *between the General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of Prussia acting on behalf of the German Postal Union. Signed in the English and German Languages, at London, the 13th October, 1862.*

THE General Post Office of the United Kingdom of Great Britain and Ireland, and the General Post Office of the Kingdom of Prussia, acting on behalf of the German Postal Union, being desirous of regulating, by means of a new Convention, the communications by post between the United Kingdom and the following States of the German Postal Union, viz., Prussia, Austria, Bavaria, Saxony, Hanover, Wurtemberg, Baden, Luxemburgh, Brunswick, Mecklenburgh-Schwerin, Mecklenburgh-Strelitz, Oldenburgh, Lubeck, and the countries which are included in the Postal District of the principality of Tour and Taxis.

The Undersigned, Sir Rowland Hill, Knight Commander of the Most Honourable Order of the Bath, Secretary of the General Post Office, furnished with full powers from the Right Honourable Lord Stanley of Alderley, Postmaster-General of the United Kingdom of Great Britain and Ireland, and Charles Adolphus Metzner, Knight of the Order of the Red Eagle, Second Class, and Knight of the Order of the Crown, Second Class, &c., Privy Counsellor in the General Post Office of His Majesty the King of Prussia, furnished with full powers from His Excellency, Henry William Holzbrinck, His Prussian Majesty's Minister for Trade, Industry, and Public Works ;

After having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles :

ART. I. There shall be a periodical and regular exchange of correspondence between the United Kingdom of Great Britain and Ireland and Prussia, as well for letters and book packets originating in the United Kingdom or in any of the States of the German Postal Union, as for articles of the same nature originating in or destined for the countries the correspondence



of which is forwarded through Great Britain or through the German Postal Union.

II. The regular exchange of mails between the British and the Prussian Offices shall be effected through the following Post Offices, namely;

On the side of the United Kingdom,

1. London.

2. Dover.

On the side of Prussia,

1. Berlin.

2. The Travelling Post Office between Verviers and Cologne.

III. It is agreed that the British Post Office shall make use of the right which it possesses, under the Postal Convention between Great Britain and Belgium, of exchanging closed mails with the Prussian Post Office through the Belgian territory.

The British Post Office shall pay to the Post Office of Belgium the transit postage due to that office for the transit of the letters contained in the closed mails in both directions exchanged between the United Kingdom and Prussia, and the Prussian Post Office shall repay to the British Post Office, at the expiration of every quarter, one half of the total amount paid to Belgium on account of such transit during the quarter.

IV. Persons desirous of sending ordinary letters, that is to say, letters not registered, either from the United Kingdom of Great Britain and Ireland to the States of the German Postal Union, or from the States of the Union to the United Kingdom of Great Britain and Ireland, shall have the option of leaving the postage of such letters to be paid by the receivers or of paying the postage in advance to the place of destination.

V. The total amount of postage to be collected in the United Kingdom upon paid letters originating in the United Kingdom, addressed to the States of the German Postal Union, as well as upon unpaid letters originating in those States, addressed to the United Kingdom, shall be as follows:

For every single paid letter, 6*d*.

For every single unpaid letter, 8*d*.

Reciprocally, the total amount of postage to be collected in the States of the German Postal Union upon paid letters originating in those States, addressed to the United Kingdom, as well as upon unpaid letters originating in the United Kingdom, addressed to those States, shall be as follows:

For every single paid letter, 5 silver groschen, or the corresponding amount in the current coin of those States.

For every single unpaid letter, 7 silver groschen, or the corresponding amount in the current coin of those States.

VI. With respect to letters above the weight of a single letter, which is fixed at  $\frac{1}{2}$  an ounce in the United Kingdom,

and at 1 zoll loth in the States of the German Postal Union, the British Office shall apply the following scale of progression for all letters the postage of which is collected in the United Kingdom, viz.:

For every letter exceeding  $\frac{1}{2}$  an ounce, and not exceeding 1 ounce, 2 rates of postage.

For every letter exceeding 1 ounce, and not exceeding 2 ounces, 4 rates of postage.

For every letter exceeding 2 ounces, and not exceeding 3 ounces, 6 rates of postage.

And so on, 2 rates being added for every additional ounce.

And the German Offices shall apply the following scale of progression for all letters the postage of which is collected in the States of the German Postal Union, viz.:

For every letter weighing a zoll loth, but under 2 zoll loths, 2 rates of postage.

For every letter weighing 2 zoll loths, but under 3 zoll loths, 3 rates of postage.

And so on, an additional rate of postage being charged for every zoll loth.

VII. The Post Offices of Great Britain and Prussia shall mutually account to each other for the portion of the postage which is due to each upon the letters dispatched from one office to the other.

The British Post Office shall pay to the Prussian Post Office for every single paid letter originating in or passing in transit through the United Kingdom, addressed to the States of the German Postal Union, the sum of 3*d.*, and for every single unpaid letter originating in those States, addressed to the United Kingdom, the sum of 4*d.*

The Prussian Post Office, on the other hand, shall pay to the British Post Office for every single paid letter originating in or passing in transit through the States of the German Postal Union, addressed to the United Kingdom, the sum of 2 $\frac{1}{2}$  silver groschen, and for every single unpaid letter originating in the United Kingdom, addressed to those States, the sum of 3 $\frac{1}{2}$  silver groschen.

For every letter above the weight of a single letter each office shall pay to the other an increased amount according to the scale of progression adopted in that country in which the postage is collected.

VIII. When the postage stamps affixed to a letter forwarded from the United Kingdom to the States of the German Postal Union, or from those States to the United Kingdom, shall represent a sum less than that required for its prepayment, at the rate of 6*d.*, or 5 silver groschen, for a single letter, such letter shall be considered as unpaid, and charged as such, after deducting the value of those stamps.

The amount of the sums paid, as well by the senders of insufficiently paid letters as by the persons to whom those letters are addressed, shall be equally divided between the Post Office of Prussia and the British Post Office.

IX. In all cases in which a fee or other charge, in addition to the rates of postage specified in this Convention, is levied in the States of the German Postal Union, upon the delivery of paid or unpaid letters originating in the United Kingdom, one-half of the amount of such fee or other charge shall be paid to the British Post Office by the Post Office of Prussia.

Reciprocally, in the event of a fee or other charge, in addition to the rates of postage specified in this Convention, being at any time levied in the United Kingdom upon the delivery of paid or unpaid letters originating in the States of the German Postal Union, one-half of the amount of such fee or other charge shall be paid to the Prussian Post Office by the British Post Office. It is understood, however, that this stipulation does not apply to the payments voluntarily made to letter carriers for delivering letters to persons residing beyond the prescribed limits within which a free delivery takes place in any town or village in the United Kingdom.

The two offices shall settle by mutual consent the mode in which the amount due to each, as its share of the fees or additional charges levied either in the States of the German Postal Union, or in the United Kingdom, is to be ascertained and brought to account.

X. The British Post Office shall pay to the Prussian Post Office for the territorial conveyance, through the German Postal Union, of letters forwarded in open mails, in transit through the German Postal Union, to or from countries or colonies beyond sea, viz. :

For every single paid letter originating in the United Kingdom, and addressed to such countries or colonies, the sum of  $2\frac{1}{2}$  silver groschen.

For every single unpaid letter originating in such countries or colonies, and addressed to the United Kingdom, the sum of  $3\frac{1}{2}$  silver groschen.

The British Post Office shall further pay to the Prussian Post Office upon this class of letters, the rate paid by the inhabitants of the States of the German Postal Union for letters having the same origin or destination, from which rate, however, the portion representing the German Postage shall be first deducted.

The conditions under which letters sent in transit through the German Postal Union, to or from the United Kingdom, shall be exchanged between the British Post Office and the Prussian Post Office, in conformity with the foregoing stipulations, are shown in Table A, annexed to this Convention.

XI. The Prussian Post Office shall pay to the British Post Office for the territorial conveyance, through the United Kingdom, of letters forwarded in open mails, in transit through the United Kingdom, to or from countries or colonies beyond sea, viz. :

For every single paid letter originating in the German Postal Union, and addressed to such countries or colonies, the sum of 3*d.*

For every single unpaid letter originating in such countries or colonies, and addressed to the German Postal Union, 4*d.*

The Prussian Post Office shall further pay to the British Post Office upon this class of letters, the rate paid by the inhabitants of the United Kingdom for letters having the same origin or destination, from which rate, however, the sum of 1*d.* shall be first deducted, in all cases where such rate includes the British inland rate.

The conditions under which letters sent in transit through the United Kingdom, to or from the German Postal Union shall be exchanged between the Prussian Post Office and the British Post Office, in conformity with the foregoing stipulations, are shown in Table B annexed to this Convention.

XII. The British Post Office may deliver to the Prussian Post Office registered letters addressed to any of the States of the German Postal Union.

Reciprocally, the Prussian Post Office may deliver to the British Post Office registered letters addressed to the United Kingdom.

The postage of registered letters shall always be paid in advance.

A fee, or additional charge, the amount of which the dispatching office shall fix, may be levied over and above the postage to which such letters are liable, but no postage, duty, or tax, other than that for delivery, referred to in Article IX preceding, shall be levied on the delivery of registered letters forwarded from the United Kingdom of Great Britain and Ireland to the German Postal Union, or *vice versa*.

The British Office shall account to the Prussian Office for one-half the registration fee levied upon registered letters posted in the United Kingdom, and a like sum upon registered letters passing in transit through the United Kingdom, addressed to the German Postal Union; and the Prussian Office shall account to the British Office for one-half the registration fee levied upon registered letters posted in the German Postal Union, and a like sum upon registered letters passing in transit through the German Postal Union addressed to the United Kingdom.

XIII. The British Post Office may further deliver to the Prussian Post Office registered letters addressed to :

Russia and Russian Poland.



Sweden.

Norway.

Denmark.

Switzerland.

Italy (the Papal States excepted).

All places in Turkey in which Austria maintains Post Offices (Alexandretta, Latakia, Mersina, and Tripoli excepted).

And the Prussian Post Office may further deliver to the British Post Office registered letters addressed to the United States of America (including California and Oregon), to Liberia, or to the British Colonies of India, Malta, Gibraltar, Hong Kong, the British West Indies, the Cape of Good Hope, St. Helena, Natal, Ceylon, Mauritius, New South Wales, Victoria, Tasmania, South Australia, Western Australia, Queensland, New Zealand, Newfoundland, Bermuda, Canada, New Brunswick, Nova Scotia, Prince Edward Island, Sierra Leone, Gambia, the Gold Coast and the Falkland Islands.

In addition to the postage due to the Prussian Post Office, and to half the fee levied for the registration between the United Kingdom and the German Postal Union, the British Post Office shall account to the Prussian Post Office for the sum of 4*d.* per  $\frac{1}{2}$  ounce upon every registered letter addressed to Russia, Russian Poland, or Italy.

Upon registered letters addressed to Sweden, Norway, Denmark, Switzerland, or any of the places in Turkey in which Austria maintains Post Offices, the British Post Office shall account to the Prussian Post Office for the same amount of fee as upon registered letters addressed to the German Postal Union.

On its side, the Prussian Post Office shall account to the British Post Office, in addition to the postage due to the British Post Office, and to half the fee levied for the registration between the German Postal Union and the United Kingdom, for the sum of 5 silver groschen upon every registered letter addressed to any of the countries or colonies above enumerated.

XIV. Subject to the following conditions, book packets, including under that designation newspapers and printed papers of every kind, may be sent from the States of the German Postal Union to the United Kingdom of Great Britain and Ireland at such rates of postage as may be fixed from time to time by the German Post Offices, and from the United Kingdom to the States of the German Postal Union at such rates of postage as may be fixed from time to time by the British Post Office:

1. The postage must be prepaid.

2. Book packets, insufficiently prepaid by means of postage stamps, shall be charged with double the amount of the defi-

ciency. The produce of this charge shall be retained by the office which collects it.

3. Every packet must be sent either without a cover, or in a cover open at the ends or sides, so as to admit of the examination of its contents.

4. A book packet may contain any number of separate books or other publications, prints, or maps, whether printed, engraved, or lithographed, and whether on paper, parchment, or vellum, as also photographs on paper, parchment, or vellum; further, all legitimate binding, mounting, or covering of a book, publication, &c., or of a portion thereof, shall be allowed, whether such binding, &c., be loose or attached; as also rollers in the case of prints or maps, markers (whether of paper or otherwise), in the case of books, and, in short, whatever is necessary for the safe transmission of literary or artistic matter or usually appertains thereto; but no patterns or books of patterns (unless these consist merely of paper) shall be allowed.

5. No book packet may contain any writing, figures, or manual marks whatsoever.

6. No book packet must exceed 2 feet British in length, width, or depth, or 3 pounds Prussian in weight.

XV. In exception to the stipulations of Article XIV preceding, it is agreed that ordinary corrections in writing shall be allowed in the case of book packets containing unbound proof sheets only.

XVI. The British Post Office shall pay to the Post Office of Prussia, on such of the book packets mentioned in Article XIV preceding as shall originate in the United Kingdom of Great Britain and Ireland, as well as on prepaid book packets passing in transit through the United Kingdom, the sum of 5*d.* per Prussian pound net weight.

The Post Office of Prussia on its side shall pay to the British Post Office, on such of the book packets mentioned in Article XIV preceding, as shall originate in the German Postal Union, as well as on prepaid book packets passing in transit through the German Postal Union, the sum of 4 silver groschen per Prussian pound net weight for the entire service to be rendered by the British Post Office, and 4*d.* per Prussian pound in repayment of the transit rate to be paid to Belgium.

It is understood, however, that payment of the transit rate due to Belgium on the book packets in question may be made directly by the Prussian Post Office to the Post Office of Belgium, and, in such case, the sum to be paid to the British Post Office will be 4 silver groschen only per Prussian pound.

XVII. No postage whatever shall be charged by the German Post Offices upon the delivery of book packets originating in the United Kingdom of Great Britain and Ireland, or upon prepaid book packets passing in transit through the United King-

dom, and addressed to the States of the German Postal Union; and, in like manner, no postage whatever shall be charged by the British Post Office upon the delivery of book packets originating in the States of the German Postal Union, or upon prepaid book packets passing in transit through the German Postal Union, and addressed to the United Kingdom of Great Britain and Ireland.

It is nevertheless understood that this provision does not in any way invalidate the right either of the British Office or of the German Offices to refuse to deliver newspapers or other printed papers, the importation of which may be prohibited by the laws and regulations of the country to which they are forwarded.

So long as any stamp duty, fee for delivery, or other charge is levied in any State of the German Postal Union upon newspapers or other printed papers forwarded from the United Kingdom of Great Britain and Ireland, addressed to such State and prepaid to destination, the whole amount of such stamp duty, fee for delivery, or other charge, shall be paid over by the Prussian Post Office to the British Post Office.

XVIII. The Post Office of Prussia shall pay to the British Post Office for the conveyance across the United Kingdom of Great Britain and Ireland of book packets in transit which the British Post Office shall convey through its territory on account of the Post Office of Prussia, the sum of 5*d.* per Prussian pound, net weight.

The Post Office of Prussia shall further pay to the British Post Office for the sea conveyance of book packets which shall be conveyed, on account of the Post Office of Prussia, by British mail packets or by private ships leaving or arriving at the ports of the United Kingdom of Great Britain and Ireland, the sum of 5*d.* per Prussian pound, net weight.

In consideration of the expense incurred by the British Post Office for the conveyance of mails across the Isthmus of Suez or the Isthmus of Darien, the Post Office of Prussia shall further pay to the British Post Office for book packets which the Post Office of Prussia shall forward or receive by British mail packets and by way of either Isthmus, viz.:

For the conveyance of book packets across the Isthmus of Suez, a transit rate of 4*d.* per Prussian pound, net weight.

For the conveyance of book packets across the Isthmus of Darien, a transit rate of 1*s.* per Prussian pound, net weight.

Reciprocally the British Post Office shall pay to the Post Office of Prussia for the conveyance across the territory of the German Postal Union of book packets in transit which the Post Office of Prussia shall convey through the territory of the Union, on account of the British Post Office, the sum of 5*d.* per Prussian pound, net weight.

The British Post Office shall further pay to the Post Office of Prussia for the sea conveyance of book packets by German packets other than those plying between Prussian ports and other ports in the Baltic, the sum of 2*d.* per Prussian pound, net weight.

XIX. The Post Office of Prussia engages to grant the transit through the territory of the German Postal Union, from the frontier of Belgium to any part of the German frontier, or *vice versâ*, as well as the conveyance by German mail packets or private ships departing from or arriving at ports of the German Postal Union, of the closed mails which the British Post Office may exchange in either direction, by way of Germany, with India, or Australia, Russia, or Russian Poland, Norway, Sweden, Denmark, Constantinople, Smyrna, or the Ionian Islands.

The Prussian Post Office further engages to grant the transit of British closed mails through the territory of Turkey, whether by land or water, or partly one and partly the other, so long as German closed mails can be sent through the Turkish territory.

The British Post Office on its side engages to grant the transit through the British territory, as well as the conveyance by British mail packets or private ships departing from or arriving at ports of the United Kingdom of Great Britain and Ireland, of the closed mails which the Prussian Office may exchange in either direction, by way of the United Kingdom of Great Britain and Ireland, with the United States of North America.

XX. The British Post Office shall pay to the Prussian Post Office for transit through the territory of the German Postal Union of letters and book packets comprised in the closed mails which the British Office may send or receive, by way of Germany, in accordance with Article XIX preceding, the sum of 4*d.* per ounce, British, of letters, net weight, and the sum of 5*d.* per pound, Prussian, of book packets, also net weight.

XXI. The British Post Office shall pay to the Prussian Post Office for the conveyance through Turkey, whether by land or by water, or partly one and partly the other, as well as for the sea conveyance by German mail packets or private ships (other than those plying between Prussian ports and other ports in the Baltic), departing from or arriving at ports of the German Postal Union, of letters and book packets comprised in the closed mails which the British Office may send or receive, in accordance with Article XIX preceding, the sum of 1*d.* per ounce, British, of letters, net weight, for every 250 British statute miles over which such letters may be conveyed beyond the limits of the German Postal Union, and the sum of 1*d.* per pound, Prussian, of book packets, also net weight, for every 500



British statute miles over which such book packets may be conveyed beyond the limits of the German Postal Union.

In each case the distance shall be measured in a direct line, without regard to the route actually traversed.

XXII. The Prussian Post Office shall pay to the British Post Office for transit through the territory of the United Kingdom of letters and book packets comprised in the closed mails which the Prussian Office may send or receive by way of the United Kingdom, in accordance with Article XIX preceding, the sum of 4*d.* per ounce, British, of letters, net weight, and the sum of 5*d.* per pound, Prussian, of book packets, also net weight.

XXIII. The Prussian Post Office shall pay to the British Post Office for the sea conveyance of letters and book packets comprised in the closed mails which the Prussian Office may send or receive, in accordance with Article XIX preceding, by British mail packets or private ships departing from or arriving at ports of the United Kingdom, the sum of 1*s.* per ounce, British, of letters, net weight, and the sum of 5*d.* per pound, Prussian, also net weight, of book packets.

XXIV. There shall be reserved in the fourgons, carriages, or vehicles conveying through the territory of the German Postal Union the mails from Great Britain to the East Indies or Australia, or from the East Indies or Australia to Great Britain, as well as on board the German mail packets employed in the conveyance of those mails, a place, free of charge, for a British courier, who shall keep the said mails under his special care, and who shall have the right to be present at the purification of the correspondence contained in those mails, whenever it shall take place, and at all other operations to which the said correspondence may be subjected.

XXV. It is understood that the weight of dead letters of every kind, as well as that of the letter bills and other forms of account consequent on the exchange of correspondence conveyed in closed mails by one of the two offices on account of the other, and which are mentioned in the preceding Articles XX, XXI, XXII, and XXIII, shall not be included in the weight of the letters and book packets on which shall be assessed the rates fixed by the said Articles.

XXVI. There shall be an exchange of letters between the Austrian Post Office in Alexandria (Egypt), and the British Post Offices in Aden, Bombay, Calcutta, Madras, Point de Galle, Port Louis, Penang, Singapore, Hong Kong, King George's Sound, Adelaide, Geelong, Melbourne, Hobart Town, Launceston, Sydney, Brisbane, Auckland, and Wellington.

The rate to be collected by the British Post Office, for the conveyance through Egypt, and for the sea conveyance, by British mail packets, between Suez and the several British ports enumerated above, shall be the rate now levied, or that

may be hereafter levied, for sea conveyance, as well as for British and Colonial inland conveyance, upon letters conveyed by British packet from the United Kingdom to such ports, respectively.

But the British Post Office promises to do all in its power to obtain for the German Post Offices the option of receiving and sending, unpaid or paid to destination, letters coming from or addressed to the East Indies and Australia.

XXVII. For the sea conveyance to or from Trieste of any of the closed mails referred to in Article XIX preceding, the British Post Office may, if it think proper, employ vessels, the property of the British Government, or vessels freighted or subsidized by that Government, and such vessels shall be considered and treated as vessels of war in the port of Trieste, and be there entitled to the same honours and privileges.

These packets shall be exempted in the said port, as well upon their entrance as upon their departure, from all tonnage, navigation, and port dues; excepting, however, the vessels freighted or subsidized by Government, which must pay such dues if they are levied on behalf of corporations, private companies, or individuals.

They shall not on any account be diverted from their especial duty, or be liable to seizure, detention, embargo, or arrêt de prince.

XXVIII. The British mail packets shall be at liberty to take on board or land at the port of Trieste specie and gold and silver bullion, as well as passengers, of whatever nation they may be, with their wearing apparel or luggage, on condition that the commanders of those packets shall submit to the sanitary, police, and customs regulations of the port, concerning the arrival and departure of travellers.

Nevertheless, the passengers admitted on board those packets who do not think fit to land during the stay at the said port, shall not, under any pretext, be removed from on board, be liable to any search, or be subjected to the formality of a visa of their passports.

XXIX. The British mail packets may enter or leave the port of Trieste at any hour of the day or night. They may also, if they think proper, without anchoring, embark, or disembark the mails and passengers in the roads, or at the entrance of the harbours, so long as they observe the regulations referred to in Article XXVIII preceding.

XXX. Whenever a British packet carrying mails shall be compelled to put into any port of the German Postal Union, other than that at which such packet should touch, the Post Office of the place where the said mails shall be landed shall use the most certain and expeditious means of forwarding them to their destination.

XXXI. Ordinary or registered letters and book packets mis-directed or mis-sent, shall be reciprocally returned without delay through the respective offices of exchange for the same weight and amount of postage at which they were charged by the dispatching office to the other office.

The articles of a like nature addressed to persons who have changed their residence shall be mutually forwarded or returned, charged with the rate that would have been paid by the receivers.

XXXII. Ordinary or registered letters and book packets exchanged in ordinary mails between the two Post Offices of Great Britain and Prussia, which cannot be delivered, from whatever cause, shall be mutually returned at the expiration of every month. Such of those articles as shall have been charged in the accounts shall be returned for the amount of postage which was originally charged by the sending office.

Those which were sent paid to destination shall be returned without postage or charge.

With regard to unpaid dead letters which have been conveyed in closed mails by one of the two offices on account of the other, they shall be admitted for the same weight and amount of postage which were charged in the transit accounts of the respective offices, on a simple declaration, or on nominal lists vouching for the amount of postage demanded when the letters themselves cannot be produced by the office which has to claim the amount of their postage from the corresponding office.

XXXIII. The British Post Office and the Post Office of Prussia shall determine by mutual consent the direction of the correspondence reciprocally transmitted, and shall settle the arrangements relating to the form and the liquidation of the accounts arising out of the mutual transmission of correspondence, as well as every other matter of detail which may be necessary to ensure the execution of the stipulations contained in the present Convention.

The two offices shall have power to modify from time to time by mutual consent the arrangements made in virtue of this Article, as well as those fixed by all the preceding Articles.

XXXIV. Ordinary letters, registered letters, and book packets exchanged between the two Post Offices of Great Britain and Prussia, which shall have been paid to destination, or for some part of the distance beyond the territory of the dispatching office, shall be marked in a conspicuous part of the address with an impression in red ink of a stamp intended to denote to the respective offices of exchange the extent of prepayment.

The stamp P.D. shall be impressed on ordinary or registered

letters as well as on book packets which shall be prepaid to destination.

The stamp P.P. shall be impressed on ordinary letters as well as on book packets which shall be prepaid for some part of the distance beyond the territory of the dispatching office.

XXXV. Each of the mails exchanged between the Post Offices of the two countries shall be accompanied by a letter bill in which the dispatching office shall state the nature of the articles which the mail contains, and the amount of postage due to each office. The office to which the mail shall be forwarded shall acknowledge its receipt to the dispatching office by return of post.

The letter bills and acknowledgments of receipt of the Post Offices of London and Dover for the Travelling Post Office between Verviers and Cologne, and for the office of Berlin, shall be according to the forms annexed to the present Articles.

The letter bills and acknowledgments of receipt which the Travelling Post Office between Verviers and Cologne and the office of Berlin shall use in their communications with the British offices of exchange shall agree with the forms above described.

XXXVI. If it should happen on the usual days and hours for making up the mails that an office of exchange has not any letter to forward to the corresponding office, the dispatching office shall nevertheless send, in the ordinary way, a mail which shall contain a blank letter bill.

XXXVII. The British Post Office shall every month prepare separate accounts exhibiting the results of the transmission between the respective offices of exchange of the correspondence mutually exchanged, whether in ordinary mails or in closed mails. Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the month.

XXXVIII. The separate accounts described in the preceding Article shall be incorporated every month in general accounts showing the result of the transmission of the correspondence exchanged either in ordinary or closed mails between the Post Office of Great Britain and the Post Office of Prussia.

XXXIX. The general accounts mentioned in the preceding Article shall be compared and settled by the two offices, and the balance shall be paid at the end of every quarter by that office which shall be found to be indebted to the other.

XL. The present Convention shall come into operation on the 1st day of November, 1862, and shall continue in force until one of the two Contracting Parties shall have announced to the other, one year in advance, its intention to terminate it. During this last year the Convention shall continue to be fully and entirely carried into effect without prejudice to the settle-



ment of the accounts between the British and Prussian Offices after the expiration of the said term.

It is, however, reciprocally agreed that none of the provisions contained in the last paragraph of Article XVIII, or in Articles XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, or XXX, of this Convention shall take effect until each of the Contracting Parties has announced to the other that satisfactory arrangements arising out of this Convention, on the side of the British Office with the Post Offices of Austria, Hamburg, Bremen, and The United States, and on the side of the Prussian Office with the Post Offices of Austria and The United States, have been concluded.

All the agreements which now regulate the exchange of correspondence between the United Kingdom and Prussia, or any of the States of the German Postal Union, shall cease to have effect from the date of the day when the present agreement shall be put into execution.

Done in duplicate at London, the 13th day of October, 1862.

ROWLAND HILL.

CARL ADULP METZNER.

Approved, (L.S.) STANLEY OF ALDERLEY.

(L.S.) GRAF ITZENPLITZ.

Whereas, by Article XL of the Convention, concluded in London on the 13th October instant, between the General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of Prussia, it was stipulated that the said Convention should come into operation on the 1st of November, 1862; and

Whereas, since the signature of the said Convention, it has been found expedient to defer the date of its coming into operation; now

We, the undersigned Commissioners who signed the said Convention, being duly authorized, have agreed, and do hereby agree and declare, that the Convention aforesaid shall come into operation on the 1st day of January, 1863.

In witness whereof we have signed these presents.

Done in duplicate in London the 22nd day of October, and in Berlin the 25th day of October, 1862.

ROWLAND HILL.

C. A. METZNER.



(B.)—TABLE showing the Conditions on which shall be exchanged, in Ordinary Mails between the British Post Office and the Prussian Post Office, Ordinary Letters dispatched from the Countries the Correspondence of which is transmitted through Great Britain for Prussia, and Countries *via* Prussia, and *vice versa*.

The rates marked thus \* increase according to two different principles. The sum of 3d. out of each rate is chargeable by the toll loth, and the remainder by the quarter ounce. The rates marked thus † also increase according to two principles, 2d. being chargeable by the toll loth, and the remainder by the quarter ounce.

[illegible]

TABLE (B) *continued.*

The rates marked thus \* increase according to two different principles. The sum of 8d. out of each rate is chargeable by the zoll loth, and the remainder by the quarter ounce. The rates marked thus † also increase according to two principles, 2d. being chargeable by the zoll loth, and the remainder by the quarter ounce.

COUNTRIES.	Letters delivered by the British Office to the Prussian Office.				Letters delivered by the Prussian Office to the British Office.			
	Regulation as to Payment in advance.	To what Limit.	Rate of Postage to be paid by the British Office for an unpaid Letter not exceeding half an ounce.	Rate of Postage to be paid by the British Office for an unpaid Letter not exceeding half an ounce.	Regulation as to Payment in advance.	To what Limit.	Rate of Postage to be paid by the British Office for an unpaid Letter not exceeding half an ounce.	Rate of Postage to be paid by the British Office for an unpaid Letter not exceeding half an ounce.
1.	2.	3.	4.	5.	6.	7.	8.	9.
			s. d.					a. d.
The Canary Islands ...	Optional	Destination	0 9	3	The same Rates as for paid Letters coming from England.	Optional	Destination	† 0 8
Madeira and the Cape de Verdes ...	Compulsory	Port of Embarkation	0 11	3	Do.	Do.	Port of Disembarkation	† 0 0
Portugal and the Azores ...	Do.	Do.	0 11	3	Do.	Do.	Do.	† 0 0
United States of North America ...	Do.	English Port of Disembarkation	0 4	...	Do.	Do.	English Port of Disembarkation	0 3
West Coast of South America, via Panama ...	Do.	United States Port of Embarkation	1 0	...	Do.	Do.	United States Port of Disembarkation	0 11
California, Oregon, and Sandwich Is. ...	Do.	Port of Embarkation	2 3	3	Do.	Do.	Port of Disembarkation	2 3
Mexico ...	Do.	Do.	1 5	...	Do.	Do.	Do.	1 4
Guatemala, St. Eustatius, Cayenne, St. Martin's, Surinam, and Grey Town ...	Do.	Do.	2 7	...	Do.	Do.	Do.	2 0
St. Croix and St. Thomas ...	Do.	Do.	3 5	...	Do.	Do.	Do.	2 4
Cuba ...	Do.	Do.	0 9	...	Do.	Do.	Do.	0 8
Porto Rico ...	Do.	Do.	0 9	3	Do.	Optional Compulsory	Do.	0 8
Foreign Countries generally (except Portugal and the Azores) beyond Sea, by Private Ship leaving or arriving at Ports of the United Kingdom ...	Do.	Do.	1 9	...	Do.	Do.	Do.	1 8
			1 7	...				1 0
			0 9	...				0 8



CONVENTION *between Great Britain and Prussia, for the Mutual Surrender of Criminals. Signed at London, March 5, 1864.*

[Not sanctioned by the British Legislature. See State Papers. Vol. 54. Page 16.]

ADDITIONAL ARTICLES *to the Convention agreed upon between the General Post Office of Great Britain and the General Post Office of Prussia on the 13th October, 1862.\* Signed in the English and German Languages, at <sup>London, November 20,</sup> <sub>Berlin, December 2,</sub> 1864.*

IN pursuance of the power granted by Article XXXIII of the Convention of the 13th October, 1862 between the United Kingdom of Great Britain and Ireland and the Kingdom of Prussia to the two Post Offices to modify from time to time, by mutual consent, the arrangements made in virtue of the said Convention.

The Undersigned, duly authorized for that purpose by their respective Governments, have agreed upon the following Articles:

ART. I. Subject to the following conditions, patterns of merchandize shall be forwarded from the United Kingdom of Great Britain and Ireland to the States of the German Postal Union at such rates of postage as may be fixed, from time to time, by the British Post Office, and from the States of the German Postal Union to the United Kingdom of Great Britain and Ireland, at such rates of postage as may be fixed, from time to time, by the German Post Offices;

1. The postage must be prepaid. Packets of patterns, insufficiently prepaid by means of postage stamps, shall be charged with double the amount of the deficiency. The produce of this charge shall be retained by the office which collects it.

2. The patterns of merchandize must not be of intrinsic value. No article of a saleable nature or which has a mercantile value, either by reason of its quality or its quantity, and of which a use might be made otherwise than as a pattern, shall be sent at the rate applicable to patterns of merchandize.

3. The patterns of merchandize must not bear any other writing, in addition to the address of the sender and the address of the person for whom they are intended, than a manufacturer's or trade mark, numbers, and prices; and these particulars must, in all cases, be given not on loose pieces of paper, but on small labels attached to the patterns, or the bags or boxes containing them.

4. The patterns of merchandize must be sent (as in the case of books) in covers open at the ends, or made up in such

\* See page 742.

a manner as to admit of their being easily opened, examined, and recognized as patterns.

5. No article which might injure the contents of the mail bags, or the persons of the officers of the Post Office, shall be sent through the post as a pattern of merchandize, but scissors and other similar articles may be forwarded from one country to the other through the post, as patterns, provided they be packed and guarded in so secure a manner as to afford complete protection to the contents of the mail bags and the officers of the Post Office, while, at the same time, the patterns may be easily examined.

6. No packet containing patterns of merchandize which exceeds the weight of 8 ounces British shall be sent from the United Kingdom of Great Britain and Ireland to the States of the German Postal Union. In like manner no packet containing patterns of merchandize which exceeds the weight of 15 zoll loth, shall be sent from the German Postal Union to the United Kingdom of Great Britain and Ireland.

II. The Prussian Post Office shall pay to the Belgian Post Office the transit rate which will be due to Belgium for the conveyance over the Belgian territory of patterns of merchandize sent in both directions between the United Kingdom of Great Britain and Ireland, and the States of the German Postal Union, and the British Post Office shall repay to the Prussian Post Office the total amount of the transit rate paid to Belgium for the conveyance of the patterns of merchandize contained in all the mails forwarded from the United Kingdom to the German Postal Union.

III. The Post Office of Prussia shall pay to the British Post Office upon such of the patterns of merchandize mentioned in Article I preceding, as shall originate in the States of the German Postal Union, the sum of 4 silver groschen per Prussian pound net weight.

The British Post Office, on its side, shall pay to the Post Office of Prussia on such of the patterns of merchandize mentioned in Article I preceding as shall originate in the United Kingdom of Great Britain and Ireland, the sum of 5*d.* per Prussian pound net weight, and in addition the sum of 2 centimes per 40 grammes in repayment of the transit rate to be paid to Belgium.

IV. No postage whatever shall be charged by the German Post Offices upon the delivery of packets containing patterns of merchandize originating in the United Kingdom of Great Britain and Ireland, and addressed to the States of the German Postal Union; and, in like manner, no postage whatever shall be charged by the British Post Office upon the delivery of packets containing patterns of merchandize originating in the States of the German Postal Union, and addressed to the

United Kingdom of Great Britain and Ireland. So long as any fee for delivery, or other charge, is levied in any State of the German Postal Union upon packets containing patterns of merchandize forwarded from the United Kingdom of Great Britain and Ireland, addressed to such State, and prepaid to destination, the whole amount of such fee for delivery or other charge shall be paid over by the Prussian Post Office to the British Post Office.

V. The present Articles shall be considered as additional to the Convention between the General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of Prussia, signed at London the 13th October, 1862, and shall be carried into effect on the 1st January, 1865.

Done in duplicate and signed at London the 30th November, 1864, and at Berlin the 3rd December, 1864.

(L.S.) STANLEY OF ALDERLEY.

(L.S.) GRAF ITZENPLITZ.

**TREATY OF COMMERCE** *between Great Britain, Prussia, and the Zollverein (Luxemburg, Mecklenburg-Schwerin, Anhalt, Waldeck and Pyrmont, Lippe, Bavaria, Saxony, Hanover, Schaumburg-Lippe, Wurtemberg, Baden, Hesse-Cassel, Hesse-Darmstadt, and the States forming the Customs and Commercial Union of Thuringia, viz., the Grand Duchy of Saxony, Saxe-Meiningen, Saxe-Altenburg, Saxe-Coburg-Gotha, Schwarzburg-Rudolstadt, Schwartzburg-Sondershausen, Reuss-Greiz, Reuss-Schleitz, Brunswick, Oldenburg, Nassau and Frankfurt.) Signed in the English and German languages, at Berlin, May 30, 1865.\**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part; and,

His Majesty the King of Prussia in his own name, and representing the Sovereign States and Territories united to the Prussian system of Customs and contributions, that is to say, the Grand Duchy of Luxemburg, the enclaves of the Grand Duchy of Mecklenburg-Schwerin, Rossow, Netzeband, and Schoenberg, the Principality of Birkenfeld belonging to the Grand Duchy of Oldenburg, the Duchy of Anhalt, the Principalities of Waldeck and Pyrmont, the Principality of Lippe, and the Grand Bailiwick of Meisenheim belonging to the Landgraviate of Hesse, as well as in the name of the other members of the German Association of Customs and Commerce, that is to say, the Crown of Bavaria, the Crown of Saxony, the Crown of Hanover, as well for itself as for the Principality of Schaumburg-Lippe, and the Crown of Wurtemberg, the Grand Duchy of Baden, the Electorate of Hesse, the Grand Duchy of

\* Ratifications exchanged at Berlin, June 30, 1865.

Hesse, as well for itself as for the Bailiwick of Homburg belonging to the Landgraviate of Hesse, the States forming the Customs and Commercial Union of Thuringia, viz., the Grand Duchy of Saxony, the Duchies of Saxe-Meiningen, of Saxe-Altenburg, of Saxe-Coburg-Gotha, the Principalities of Schwarzburg-Rudolstadt and of Schwarzburg-Sondershausen, of the elder branch of Reuss and of the younger branch of Reuss, the Duchy of Brunswick, the Duchy of Oldenburg, the Duchy of Nassau, and the Free Town of Frankfort, on the other part ;

Being equally animated by the desire of regulating and extending the commercial relations between the United Kingdom of Great Britain and Ireland, and its dependencies, and the Zollverein, have resolved to conclude a Treaty for that purpose, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Francis Baron Napier of Merchiston, a Peer of Scotland, a Baronet of Nova Scotia, a member of Her Britannic Majesty's Privy Council, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the King of Prussia, &c.; and John Ward, Esquire, Her Majesty's Chargé d'Affaires and Consul-General to the Hanse Towns, and Consul-General in Hanover, Oldenburg, &c. ;

And His Majesty the King of Prussia, M. Otto Eduard Leopold von Bismarck Schoenhausen, President of his Ministry of State, and Minister of Foreign Affairs ; M. Johann Friedrich von Pommer Esche, his Actual Privy Councillor ; M. Alexander Maximilian Philipsborn, Director in his Ministry of Foreign Affairs ; and M. Martin Friedrich Rudolph Delbrück, Director in his Ministry for Commerce, Trade, and Public Works ;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following Articles :

ART. I. The subjects of Her Britannic Majesty who dwell either temporarily or permanently in the States of the Zollverein, and the subjects of the States of the Zollverein who dwell either temporarily or permanently in the dominions or possessions of Her Britannic Majesty, shall enjoy therein, in respect to the exercise of commerce and trades, the same rights as, and be subjected to no higher or other taxes than, the subjects of any third country the most favoured in those respects.

II. The produce and manufactures of the dominions and possessions of Her Britannic Majesty which may be imported into the Zollverein, and the produce and manufactures of the States of the Zollverein which may be imported into the United Kingdom of Great Britain and Ireland, whether in-



tended for consumption, warehousing, re-exportation, or transit, shall therein be treated in the same manner as, and in particular shall be subject to no higher or other duties than, the produce and manufactures of any third country the most favoured in those respects.

III. No other or higher duties shall be levied in the Zollverein on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, nor in the dominions and possessions of Her Britannic Majesty on the exportation of any goods to the Zollverein, than are or may be levied on the exportation of the like goods to any third country the most favoured in that respect.

IV. The transit of goods to and from the United Kingdom of Great Britain and Ireland shall be free from all transit duties in the Zollverein, and the transit of goods to and from the Zollverein shall be free from all transit duties in the United Kingdom of Great Britain and Ireland.

V. Any favour, privilege, or reduction in the tariff of duties of importation or exportation, which either of the Contracting Parties may concede to any third Power, shall be extended immediately and unconditionally to the other.

No prohibition of importation or exportation shall be established by either of them against the other, which shall not at the same time be applicable to all other nations.

The Contracting Parties engage not to prohibit the exportation of coal, and to levy no duty upon such exportation.

The preceding provisions respecting the prohibition of exportation shall not invalidate the obligations which the Constitution of the Germanic Confederation imposes on the German States which compose the Zollverein.

VI. With regard to the marks or labels of goods, or of their packages, and also with regard to patterns and marks of manufacture and trade, the subjects of the States of the Zollverein shall enjoy in the United Kingdom of Great Britain and Ireland, and the subjects of Her Britannic Majesty shall enjoy in the States of the Zollverein, the same protection as native subjects.

VII. The stipulations of the preceding Articles I to VI shall also be applied to the Colonies and foreign possessions of Her Britannic Majesty. In those Colonies and possessions the produce of the States of the Zollverein shall not be subject to any higher or other import duties than the produce of the United Kingdom of Great Britain and Ireland, or of any other country, of the like kind; nor shall the exportation from those Colonies or possessions to the Zollverein be subject to any higher or other duties than the exportation to the United Kingdom of Great Britain and Ireland.

VIII. The present Treaty shall come into force on the 1st

of July, 1865, and shall remain in force until the 30th of June, 1877. In case neither of the Contracting Parties shall, 12 months before the last-mentioned day, have given notice to the other of the intention to terminate the operation of the Treaty, then the same shall continue in force until the expiration of one year from the day upon which either of the Contracting Parties shall have given notice to the other to terminate the same.

IX. The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Berlin in 3 weeks,\* or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Berlin, the 30th day of May, in the year of our Lord 1865.

(L.S.)	NAPIER.
(L.S.)	JOHN WARD.
(L.S.)	BISMARCK.
(L.S.)	V. POMMER-ESCHE.
(L.S.)	PHILIPSBORN.
(L.S.)	DELBRUCK.

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TREATY OF NAVIGATION *between Great Britain and Prussia.*  
*Signed in the English and German Languages, at Gastein,*  
*August 16, 1865.†*

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HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Majesty the King of Prussia, on the other part, being equally animated by the desire to develop the stipulations relative to the reciprocal treatment of navigation now in force under the Treaties concluded between them on the 2nd of April, 1824,‡ and the 2nd of March, 1841,§ upon the basis of the alterations in their navigation laws which have since taken place, have entered into negotiation for that purpose, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Francis Baron Napier of Merchiston, a Peer of Scotland, a Baronet of Nova Scotia, a Member of Her Britannic Majesty's Privy Council, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the King of Prussia, &c.;

And His Majesty the King of Prussia, M. Otto Eduard

\* This term was subsequently extended by Protocol to the 30th of June.

† Ratifications exchanged at Berlin, February 24, 1866.

‡ See Vol. 3. Page 353.

§ See Vol. 6. Page 751.

Leopold von Bismarck-Schönhausen, President of His Ministry of State, and Minister of Foreign Affairs ;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following Articles :

ART. I. British ships and their cargoes shall, in Prussia, and Prussian ships and their cargoes shall, in the United Kingdom of Great Britain and Ireland, from whatever place arriving, and whatever may be their place of destination, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes.

It is, however, agreed that the preceding stipulation shall not affect the rights connected with fishery belonging exclusively to the subjects of their country within their respective marine territorial limits, nor the local immunities enjoyed in Great Britain, not by British subjects generally, but only by certain privileged classes in certain ports.

Every favour or exemption which either of the Contracting Parties shall grant in these respects to any other Power, shall be immediately and unconditionally extended to the other party.

II. The stipulations contained in the preceding Article are also to be applied to the colonies and foreign possessions of Her Britannic Majesty, as well as to the ships and cargoes of the same ; but as regards the coasting trade, only in those colonies and foreign possessions the coasting trade of which shall have been, or shall be hereafter, opened to foreign ships in conformity with the Acts of Parliament which govern this matter.

III. If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the same aid and assistance shall be rendered to it as to a national vessel, and in such case no other expenses shall be paid by the owners or their agents and representatives for the preservation of the property than would be payable in the like case of a wreck of a national vessel. In case the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize, in order to defray his expenses, no impediment shall be opposed by the authorities, the master being bound, however, to conform to the existing regulations and tariffs.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs unless cleared for consumption.

The respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master, or other agent of the owner, is not present, or is present and requires it, be authorized to interpose, in order to afford the necessary assistance to those concerned.

IV. The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

V. The right of acceding to the present Treaty is reserved to every State now belonging to, or which may hereafter join, the Zollverein.

VI. The present Treaty shall have the same duration as the Treaty of Commerce, signed on the 30th of May in the current year, between Great Britain and the Zollverein.

It shall come into force 4 weeks after the exchange of the ratifications thereof.

VII. The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Berlin in 6 months,\* or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Gastein, the 16th day of August, in the year of our Lord 1865.

(L.S.) NAPIER.

(L.S.) V. BISMARCK.

## RUSSIA.

*UKASE of the Emperor of Russia, granting to Foreigners (including Jews under certain restrictions) the Commercial Privileges enjoyed by Natives; and extending to them the right to acquire, by purchase, concession, or otherwise, Real Property in Russia. St. Petersburg, June 7, 1860.*

LE manifeste Impérial du 1er Janvier, 1807, avait posé certaines limites aux droits de commerce des étrangers établis à demeure ou résidant temporairement en Russie. Maintenant, avec les perfectionnements introduits dans les moyens de communication et le développement rapide des relations commerciales internationales, ces restrictions ne s'accordent plus avec les besoins du temps. D'un autre côté, les principales Puissances de l'Europe permettent à nos sujets, comme en général à tous les étrangers, de se livrer chez elles au commerce à l'égal de leurs nationaux. Prenant en considération l'utile influence qu'exercerait sur toutes les branches de la richesse publique

\* This term was subsequently extended by Protocol to February 24, 1866.



une extension accordée à la facilité de profiter aussi des capitaux étrangers dans les entreprises de toute nature, et voulant donner en même temps une nouvelle preuve de notre sollicitude particulière pour la prospérité générale du commerce, de l'agriculture et de l'industrie dans l'empire, et user d'une juste réciprocité envers les Puissances étrangères, nous avons jugé convenable de concéder sous ce rapport aux étrangères qui demeurent en Russie les mêmes droits que ceux dont jouissent déjà nos sujets chez les principales nations de l'Europe.

En conséquence, et d'accord avec l'avis du Conseil de l'Empire, nous ordonnons :

I. Il est permis aux étrangers d'entrer dans toutes les guildes de marchands, à l'égal des nationaux de l'empire, et de jouir ensuite de tous les droits commerciaux que ces guildes confèrent au marchands Russes (Article LXXVII à CVII du Règlement sur le Commerce, tome xi du Corps des Lois, édition de 1857).

1. *Observation.* Les Israélites sujets étrangers, connus par leur position sociale et par la vaste étendue de leurs revirements commerciaux, qui arrivent de l'étranger, peuvent, d'après l'ordre établi, c'est-à-dire, sur une autorisation spéciale, délivrée, chaque fois par les Ministres des Finances, de l'Intérieur et des Affaires Etrangères, commercer dans l'Empire et y établir des comptoirs de banque en se faisant délivrer une patente de négociant de la première guilde. Il est également permis à ces mêmes Israélites d'établir des fabriques, d'acquérir et de prendre à loyer des immeubles conformément aux dispositions du présent oukase.

2. *Observation.* Les droits commerciaux accordés aux Asiates sont déterminés par les Articles CCXXVII à CCXXXIII du Règlement sur le Commerce (tome xi du Corps des Lois, édition de 1857).

II. La sûreté du domicile et des magasins des étrangers ainsi que des terrains qui en dépendent est placée sous la protection des lois générales. Il ne peut être procédé à aucune perquisition dans leurs demeures, ni dans leurs livres de commerce, que d'après les règles prescrites en pareil cas pour les sujets Russes de la même condition.

III. Les étrangers sont aptes à acquérir, soit par achat, soit par héritage, legs, donation, concession de la couronne, &c., toute espèce de biens meubles et immeubles, à l'exception toutefois de ceux que la noblesse Russe héréditaire et les étrangers qui en ont obtenu les droits peuvent seuls posséder en vertu des lois en vigueur.

IV. Les étrangers, à l'exception des Israélites, peuvent gérer, à titre de commis, des terres habitées s'ils ont la procuration des propriétaires à cet effet. Il leur est également loisible d'affermir, au moyen de Conventions permises par les lois, des immeubles

possessionnels et de toute autre nature, habités ou non, en se conformant seulement aux conditions et restrictions imposées aux nationaux de l'Empire (Code Civil, livre iv, section iii, chapitre 2).

Lé Sénat dirigeant prendra les mesures nécessaires pour la mise à exécution du présent.

(L.S.) ALEXANDRE.

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## SARDINIA.

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DETAILED REGULATIONS *arranged between the Post Office of Great Britain and the Post Office of Sardinia, for the execution of the Postal Convention of 12th December, 1857.\* Signed in the English and French Languages, at <sup>London,</sup><sub>Turin,</sub> December 24, 1857.*

THE Postmaster-General of the United Kingdom of Great Britain and Ireland on the one part,

And the Director-General of the Post Office of Sardinia on the other part,

With reference to Articles XXII and XXIII of the Postal Convention concluded between Great Britain and Sardinia, the 12th December, 1857,

Have agreed as follows :

ART. I. The exchange of correspondence between the British and the Sardinian Offices shall be effected through the following Post Offices, viz. :

On the side of Great Britain :

1. London.
2. Dover.
3. Malta.

On the side of Sardinia :

1. Turin.
2. Nice.
3. Travelling Post Office on the Victor Emanuel Railway.
4. Genoa.

II. The following shall be the regulations for the exchange of mails between the respective offices :

1. The office of London shall exchange mails with the offices of Turin, Genoa, and Nice, and with the Travelling Post Office on the Victor Emanuel Railway.

2. The office of Dover shall exchange mails with the office of Nice and with the Travelling Post Office on the Victor Emanuel Railway.

3. The office of Malta shall exchange mails with the office of Genoa.

III. The mails from the office of London for the office of

\* See Vol. 10. Page 961.

Turin shall comprise the correspondence of every kind addressed to the city of Turin and to the foreign countries enumerated in Table A annexed to the present Regulations.

The mails from the office of London for the office of Genoa shall comprise the correspondence of every kind addressed to the towns in Sardinia or the foreign countries enumerated in Table B annexed to the present Regulations.

The mails from the offices of London and Dover for the office of Nice shall comprise the correspondence of every kind addressed to the towns in Sardinia enumerated in Table C annexed to the present Regulations.

The mails from the office of London for the Travelling Post Office on the Victor Emanuel Railway shall comprise the correspondence of every kind addressed to all the towns in Sardinia not enumerated in Tables A, B, and C, or to the foreign countries enumerated in Table D annexed to the present Regulations.

The mails from the office of Dover for the Travelling Post Office on the Victor Emanuel Railway shall comprise the correspondence of every kind addressed to all the towns in Sardinia not enumerated in Table C, or to the foreign countries enumerated in Tables A, B, and D, annexed to the present Regulations.

The mails from the office of Nice, and from the Travelling Post Office on the Victor Emanuel Railway, for the office of Dover shall comprise the correspondence of every kind addressed to the towns in England enumerated in Table E, annexed to the present Regulations.

The mails from the offices of Turin, Genoa, and Nice, and from the Travelling Post Office on the Victor Emanuel Railway for the office of London, shall comprise the correspondence of every kind addressed to the towns in the United Kingdom not enumerated in Table E, or addressed to the countries and colonies enumerated in Table F, annexed to the present Regulations.

The mails from the office of Malta for the office of Genoa shall comprise the correspondence of every kind originating either in Malta or in the East Indies, Australia, or China, addressed to Sardinia.

The mails from the office of Genoa for the office of Malta shall comprise the correspondence of every kind addressed to Malta, or intended to be forwarded *viâ* Malta to the East Indies, Australia, or China.

IV. The respective offices of exchange shall mark with red ink, in ordinary figures, on the upper right-hand corner of the address of paid letters passing in transit through one or both countries, the amount due to the office to which the letters are transmitted, and in like manner shall mark with black ink on unpaid letters passing in transit, the amount due to the dispatching office.

V. The amount of the deficient postage as regards letters,

newspapers, and printed papers insufficiently prepaid shall be indicated on the address of each letter, newspaper, or printed paper by the dispatching office.

VI. Ordinary letters dispatched in ordinary mails by way of the United Kingdom of Great Britain and Ireland, either from the colonies and countries enumerated in Table G annexed to the present Regulations to Sardinia, or from Sardinia to those same colonies and countries, shall be exchanged between the British Post Office and the Post Office of Sardinia on the conditions set forth in that table.

VII. Ordinary letters dispatched in ordinary mails by way of Sardinia, either from the foreign countries enumerated in Table H annexed to the present Regulations, to the United Kingdom of Great Britain and Ireland, or from the United Kingdom of Great Britain and Ireland to those same foreign countries, shall be exchanged between the British Post Office and the Post Office of Sardinia on the conditions set forth in the same Table.

It is understood, however, that in the event of arrangements being hereafter made between the Post Office of Sardinia and the Post Offices of any of the foreign countries enumerated in Table II above mentioned, so that letters addressed to those countries originating in Sardinia may be prepaid to destination, a like provision for prepayment to destination shall be stipulated for in favour of letters originating in or forwarded through the United Kingdom.

VIII. Upon ordinary letters and book packets dispatched from Sardinia *via* Malta to the countries enumerated in Table I, or from those countries *via* Malta to Sardinia, the Post Office of Sardinia shall account to the British Post Office for the rates specified in the said table.

IX. Book packets dispatched in ordinary mails by way of the United Kingdom of Great Britain and Ireland from Sardinia or any of the States of the Continent, the correspondence of which is forwarded through Sardinia to the colonies and countries beyond sea enumerated in Table K annexed to the present Regulations, or from those same colonies and countries beyond sea to Sardinia or any of the States of the Continent, the correspondence of which is forwarded through Sardinia, shall be exchanged between the British Post Office and the Post Office of Sardinia on the conditions set forth in the said table.

It is, nevertheless, understood that the British Post Office shall have the right to deliver to the Post Office of Sardinia as paid to destination book packets which shall be forwarded from the colonies and other countries beyond sea enumerated in Table K, above mentioned, for Sardinia.

The rate to be paid by the British Post Office to the Post



Office of Sardinia for such book packets shall be the same as for book packets originating in the United Kingdom.

X. Book packets dispatched in ordinary mails by way of Sardinia from the United Kingdom of Great Britain and Ireland to the foreign countries enumerated in Table L annexed to the present Regulations, or from those same foreign countries to the United Kingdom of Great Britain and Ireland, shall be exchanged between the Post Office of Sardinia and the British Post Office on the conditions set forth in the said table.

It is, nevertheless, understood that the Post Office of Sardinia shall have the right to deliver to the British Post Office as paid to destination book packets which shall be forwarded from the countries enumerated in Table L, above mentioned, for the United Kingdom.

The rate to be paid by the Post Office of Sardinia to the British Post Office for such book packets shall be the same as for book packets originating in Sardinia.

XI. Each of the mails exchanged between the Post Offices of the two countries shall be accompanied by a letter-bill in which the dispatching office shall state, under the classification established by the Convention of the 12th December, 1857, the nature of the articles which the mail contains and the amount of postage due to each office.

The office to which the mail shall be forwarded shall acknowledge its receipt to the dispatching office by return of post.

The letter-bills and acknowledgments of receipt from the office of London for the offices of Turin, Genoa, and Nice, and for the Travelling Post Office on the Victor Emanuel Railway, and from the office of Dover for the office of Nice and for the Travelling Post Office on the Victor Emanuel Railway, shall be according to the patterns M and N annexed to the present Regulations.

The letter-bills and acknowledgments of receipt from the office of Malta for the office of Genoa shall be according to the patterns O and P annexed to the present Regulations.

XII. If it should happen on the usual days for making up the mails that there should not be any letters or other correspondence from either of the offices of exchange for the corresponding office, a mail containing a blank letter-bill shall nevertheless be sent.

XIII. When the writers of letters addressed to the colonies and countries beyond sea shall wish that those letters should be conveyed by merchant ships leaving the ports of the United Kingdom of Great Britain and Ireland, such intention must be so expressed on the address.

In all cases where such direction is not given, letters for the colonies and countries beyond sea, shall be transmitted by means of the regular packets.

XIV. The addresses of registered letters sent from one country to the other shall be entered in the table which is prepared for that purpose in the letter-bill, with such particulars as are pointed out by the said table.

These letters shall be tied up together with a cross string, the ends of which shall be made fast to the bottom of the letter-bill of the dispatching office by means of a seal made of sealing-wax.

XV. Registered letters from British colonies or foreign countries shall be reciprocally exchanged between the British and Sardinian offices, with the precautions used for registered letters posted in either of the two countries.

XVI. The British Post Office may deliver to the Post Office of Sardinia, registered letters addressed as well to Sardinia as to Austria, Parma, Modena, and Tuscany.

On its side, the Post Office of Sardinia may deliver to the British Post Office registered letters addressed as well to the United Kingdom of Great Britain and Ireland, and Malta, as to Gibraltar, Hong Kong, the British West Indies, the Cape of Good Hope, Natal, Ceylon, Mauritius, South Australia, Western Australia, Canada, New Brunswick, Prince Edward Island, Sierra Leone, and the Gold Coast.

XVII. The following regulations shall be observed with respect to the registered letters referred to in the preceding Article:

The Post Office of Sardinia shall account to the British Post Office for the sum of 3*d.*, in addition to the postage due to the British Post Office, upon every registered letter originating in Sardinia or in any of the States of the Continent, and addressed to Malta, or originating in any of the States of the Continent, and forwarded by way of Sardinia, addressed to the United Kingdom, and for the sum of 9*d.* in addition to the postage due to the British Post Office upon every registered letter originating in Sardinia, or in any of the States of the Continent, and forwarded by way of Sardinia, addressed to any of the colonies enumerated in Article XVI (Malta excepted).

On its side, the British Post Office shall account to the Post Office of Sardinia for the sum of 30 centimes, in addition to the postage due to the Post Office of Sardinia, upon every registered letter originating in Malta, and addressed to Sardinia, or originating in colonies or countries beyond sea, and forwarded by way of the United Kingdom, addressed to Sardinia, and for the sum of 80 centimes in addition to the postage due to the Post Office of Sardinia, upon every registered letter originating in Malta, and addressed to the several States of the Continent, enumerated in Article XVI preceding, or originating in the United Kingdom, or in colonies or countries be-

yond sea, and forwarded by way of the United Kingdom, addressed to the said States.

XVIII. The respective offices of exchange shall divide the correspondence which they shall mutually exchange into as many distinct packets as there are different rates or special articles in the letter-bills.

To each packet shall be attached a label showing the number of the article in the account as well as the net weight or the amount of postage to be brought to account in respect to the matter covered by the label.

XIX. The labels which the respective offices of exchange shall make use of in virtue of the provisions of the previous Article shall be printed as follows :

1. On blue paper for paid correspondence.
2. On yellow paper for correspondence either unpaid or charged with transit postage.
3. And on white paper for matter giving rise to no account.

XX. In addition to the local and date stamp with which ordinary or registered letters exchanged between the respective offices must be marked, such of those letters as have been paid to their destination shall bear plainly impressed on the address another stamp with the initials P.D.

Book packets when paid to destination shall also bear the stamp P.D.

Articles of a like nature addressed to the colonies and countries beyond sea exchanged between the same offices and paid to their destination shall also be marked with the stamp P.D.

Those of the above mentioned articles which, in conformity with the Convention of the 12th December, 1857, must be forwarded on either side paid to some limit, shall be marked with a stamp bearing the initials P.P.

Registered letters forwarded from either side must be marked with a special stamp bearing the word "assicurato" or "registered."

Letters and book packets insufficiently paid must be marked with a stamp bearing the following words :

In Sardinia, "Francobolli insufficienti."

In England, "Insufficiently prepaid."

XXI. The correspondence returned either in consequence of mis-direction or of change of residence of the persons to whom the letters are addressed shall be entered nominally in the tables of the letter-bills specially appropriated for the entry of such correspondence.

Mis-directed correspondence shall be tied up with a cross string, and shall have a label attached bearing these words, "Mis-directed letters," or "Correspondances maldirigées."

Correspondence re-directed to persons who have gone away,

but have left their address, shall be also tied with a cross string, and shall have a label bearing these words, "Re-directed owing to change of residence," or "Correspondances ré-expédiées pour changement de résidence."

XXII. The postage of all dead letters, which are to be mutually returned in conformity with Article XX of the Convention of the 12th December, 1857, shall be allowed in discharge of the office to which the said letters have been originally transmitted only when the state of their seals shall not lead to the supposition that the letters have been read by the persons to whom they are addressed, except, however, as regards letters which have been conveyed in transit, and which cannot be produced.

XXIII. Letters forwarded for the purpose of annoying or injuring the parties to whom they are addressed, the postage of which both offices are authorized to return to the public, even after they have been opened, may be included and admitted with the dead letters mutually returned.

XXIV. The Post Office of the United Kingdom shall prepare every month separate accounts exhibiting the results of the exchange of correspondence between the respective offices.

Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the month.

The separate accounts shall be immediately incorporated in a general account which shall exhibit the result of the exchange of correspondence whether in ordinary or closed mails during the month.

The separate and general accounts shall be made out according to the forms agreed upon (Q and R), which are annexed to the present Regulations.

The general accounts shall be compared and settled by the two offices, and the balance shall be paid at the end of every quarter, either in British or French money, at the option of the office which shall be found to be indebted to the other.

Done in duplicate, and signed in London the 24th December, 1857, and in Turin the 29th December, 1857.

ARGYLL.

A. DI MOVALI.

(A.)—List of the Towns in Sardinia, and of the Foreign Countries the Correspondence of which to and from the United Kingdom, and to and from Countries in transit through the United Kingdom, should be forwarded by Turin.

Number.	Towns.	Number.	Foreign Countries.
1	Turin.	1	Duchies of Parma and Placentia.
		2	Duchy of Modena, except Carrara and Massa.



(B.)—List of the Towns in Sardinia, and of the Foreign Countries the Correspondence of which to and from the United Kingdom, and to and from Countries in transit through the United Kingdom, should be forwarded by Genoa.

No.	Towns.	Provinces.	No.	Towns.	Provinces.
1	Aggins .. ..	Isle of Sardinia.	58	Maddalena (La)	Isle of Sardinia.
2	Allassio.. ..	Albenga.	59	Mandas .. ..	Isle of Sardinia.
3	Albenga.. ..	Albenga.	60	Mattarana ..	Spezia.
4	Albissola ..	Savone.	61	Milis .. ..	Isle of Sardinia.
5	Ales .. ..	Isle of Sardinia.	62	Millesimo ..	Savone.
6	Alghero.. ..	Isle of Sardinia.	63	Mogoro .. ..	Isle of Sardinia.
7	Altare .. ..	Savone.	64	Monastir ..	Isle of Sardinia.
8	Andora .. ..	Albenga.	65	Mores .. ..	Isle of Sardinia.
9	Aritzo .. ..	Isle of Sardinia.	66	Muravera ..	Isle of Sardinia.
10	Barumini ..	Isle of Sardinia.	67	Narcao .. ..	Isle of Sardinia.
11	Bitti .. ..	Isle of Sardinia.	68	Neoneli .. ..	Isle of Sardinia.
12	Bolotona ..	Isle of Sardinia.	69	Nervi .. ..	Genoa.
13	Bolzaneto ..	Genoa.	70	Noli .. ..	Savone.
14	Bono .. ..	Isle of Sardinia.	71	Nulvi .. ..	Isle of Sardinia.
15	Bonorva.. ..	Isle of Sardinia.	72	Nuoro .. ..	Isle of Sardinia.
16	Borzonasca ..	Chiavari.	73	Nuramini ..	Isle of Sardinia.
17	Bosa .. ..	Isle of Sardinia.	74	Nurri .. ..	Isle of Sardinia.
18	Busachi .. ..	Isle of Sardinia.	75	Orani .. ..	Isle of Sardinia.
19	Busalla .. ..	Genoa.	76	Oristano ..	Isle of Sardinia.
20	Cabras .. ..	Isle of Sardinia.	77	Orosei .. ..	Isle of Sardinia.
21	Cagliari.. ..	Isle of Sardinia.	78	Oschiri .. ..	Isle of Sardinia.
22	Cairo .. ..	Savone.	79	Osilo .. ..	Isle of Sardinia.
23	Calangianus ..	Isle of Sardinia.	80	Ozieri .. ..	Isle of Sardinia.
24	Calizzano ..	Albenga.	81	Pattada .. ..	Isle of Sardinia.
25	Camogli.. ..	Genoa.	82	Panligerrei ..	Isle of Sardinia.
26	Campofreddo ..	Genoa.	83	Pantilatino ..	Isle of Sardinia.
27	Capraja, Isle of	Genoa.	84	Pegli .. ..	Genoa.
28	Carcare .. ..	Savone.	85	Pietra (La) ..	Albenga.
29	Carloforte ..	Isle of Sardinia.	86	Ploaghe.. ..	Isle of Sardinia.
30	Castelsardo ..	Isle of Sardinia.	87	Portotorres ..	Isle of Sardinia.
31	Chiavari.. ..	Chiavari.	88	Pozzomaggiore	Isle of Sardinia.
32	Cicagna .. ..	Chiavari.	89	Pula .. ..	Isle of Sardinia.
33	Cuglieri.. ..	Isle of Sardinia.	90	Quartu .. ..	Isle of Sardinia.
34	Decimomannu ..	Isle of Sardinia.	91	Rapallo .. ..	Chiavari.
35	Dorgali .. ..	Isle of Sardinia.	92	Recco .. ..	Genoa.
36	Finalborgo ..	Albenga.	93	Sanluri .. ..	Isle of Sardinia.
37	Finalmarina ..	Albenga.	94	Santadi .. ..	Isle of Sardinia.
38	Fonni .. ..	Isle of Sardinia.	95	Sarzana .. ..	Spezia.
39	Gavoi .. ..	Isle of Sardinia.	96	Sassello .. ..	Savone.
40	Genoa .. ..	Genoa.	97	Sassari .. ..	Isle of Sardinia.
41	Ghilarza.. ..	Isle of Sardinia.	98	Savignone ..	Genoa.
42	Godano .. ..	Spezia.	99	Savone .. ..	Savone.
43	Guasilla.. ..	Isle of Sardinia.	100	Sedilo .. ..	Isle of Sardinia.
44	Guspini.. ..	Isle of Sardinia.	101	Selargins. ..	Isle of Sardinia.
45	Iersu .. ..	Isle of Sardinia.	102	Senis .. ..	Isle of Sardinia.
46	Iglesias .. ..	Isle of Sardinia.	103	Senorbi .. ..	Isle of Sardinia.
47	Isili .. ..	Isle of Sardinia.	104	Serramanna ..	Isle of Sardinia.
48	Ittiri .. ..	Isle of Sardinia.	105	Sestri Levante	Chiavari.
49	Laconi .. ..	Isle of Sardinia.	106	Sestri Ponente	Genoa.
50	Laigueglia ..	Albenga.	107	Seni .. ..	Isle of Sardinia.
51	Lanusei.. ..	Isle of Sardinia.	108	Simaxis.. ..	Isle of Sardinia.
52	Lavagna .. ..	Chiavari.	109	Siniscola ..	Isle of Sardinia.
53	Lerici .. ..	Spezia.	110	Sinnai .. ..	Isle of Sardinia.
54	Levanto.. ..	Spezia.	111	Sorgono .. ..	Isle of Sardinia.
55	Loano .. ..	Albenga.	112	Seri .. ..	Genoa.
56	Lunamatrona ..	Isle of Sardinia.	113	Sorso .. ..	Isle of Sardinia.
57	Macomer. ..	Isle of Sardinia.	114	Spezia .. ..	Spezia.

List of the Towns in Sardinia, &c.—*continued.*

No.	Towns.	Provinces.	No.	Towns.	Provinces.
115	Staglieno ..	Genoa.	128	Torriglia ..	Genoa.
116	S. Antioco ..	Isle of Sardinia.	129	Tortoli .. ..	Isle of Sardinia.
117	S. Gavino ..	Isle of Sardinia.	130	Trataglias ..	Isle of Sardinia.
118	S. Lussurgin ..	Isle of Sardinia.	131	Tresnuraghes .	Isle of Sardinia.
119	Sa. Margherita	Chiavari.	132	Uras .. ..	Isle of Sardinia.
120	S. Martino		133	Varazze .. ..	Savone.
	d'Alboro ..	Genoa.	134	Varese .. ..	Chiavari.
121	S. Pantaleo ..	Isle of Sardinia.	135	Varignano ..	Spezia.
122	S. Stefano		136	Vezzano .. ..	Spezia.
	d'Aveto ..	Chiavari.	137	Villacidro ..	Isle of Sardinia.
123	Tempio .. ..	Isle of Sardinia.	138	Villanova Mon-	
124	Tenlada .. ..	Isle of Sardinia.		telcone .. ..	Isle of Sardinia.
125	Tiesi .. ..	Isle of Sardinia.	139	Villasor .. ..	Isle of Sardinia.
126	Tonara .. ..	Isle of Sardinia.	140	Voltri .. ..	Genoa.
127	Torralba .. ..	Isle of Sardinia.	141	Zoagli .. ..	Chiavari.

## FOREIGN COUNTRIES.

- 1 Carrara and Massa (Duchy of Modena).
- 2 Tuscany.
- 3 The Papal States, except the Legations and Marshes.
- 4 The Kingdom of the Two Sicilies.

(C.)—List of the Towns in Sardinia the Correspondence of which to and from the United Kingdom, and to and from Countries in transit through the United Kingdom, should be forwarded by Nice.

No.	Towns.	Provinces.	No.	Towns.	Provinces.
1	Bordighera ..	S. Remo.	16	Porto Morizio ..	Oneille.
2	Borgomaro ..	Oneille.	17	Prela .. ..	Oneille.
3	Breglio .. ..	Nice.	18	Scarena .. ..	Nice.
4	Ceriana .. ..	S. Remo.	19	Sospello .. ..	Nice.
5	Contes .. ..	Nice.	20	S. Martin du Var .	Nice.
6	Diano-Marina.	Oneille.	21	S. Martin Lantosia	Nice.
7	Dolceacqua ..	S. Remo.	22	S. Remo . . .	S. Remo.
8	Guillaume ..	Nice.	23	S. Stefano Marina .	S. Remo.
9	Levenzo .. ..	Nice.	24	S. Stefano Montagna	Nice.
10	Mentone .. ..	Nice.	25	Taggia .. ..	S. Remo.
11	Monaco .. ..	Principality of.	26	Tenda .. ..	Nice.
12	Nice .. ..	Nice.	27	Triora .. ..	S. Remo.
13	Oneille .. ..	Oneille.	28	Ventimiglia .. ..	S. Remo.
14	Pieve (La) ..	Oneille.	29	Villafranca Nizza .	Nice.
15	Pujet-Théniers	Nice.	30	Villa del Varo ..	Nice.

(D.)—List of the Towns in Sardinia and of the Foreign Countries the Correspondence of which to and from the United Kingdom, and to and from Countries in transit through the United Kingdom, should be forwarded by the Travelling Post Office on the Victor Emanuel Railway.

Number.	Towns.	Number.	Foreign Countries.
1	All Towns in Sardinia, except those the correspondence of which should be forwarded by Nice, Turin, and Genoa.	1	Austria.
		2	Papal Legations . and Marshes.

(E.)—List of the Towns in England the Correspondence of which to and from Sardinia, and to and from Countries in transit through Sardinia, should be forwarded by Dover.

No.	Towns.	Counties.	No.	Towns.	Counties.
1	Ashford .. ..	Kent.	22	Lewisham .. ..	Kent.
2	Biddenden .. ..	Kent.	23	Maidstone .. ..	Kent.
3	Blackheath .. ..	Kent.	24	Margate .. ..	Kent.
4	Bromley .. ..	Kent.	25	New Romney . . .	Kent.
5	Canterbury .. ..	Kent.	26	Queenborough .. .	Kent.
6	Charlton .. ..	Kent.	27	Ramsgate .. ..	Kent.
7	Chatham .. ..	Kent.	28	Reigate .. ..	Surrey.
8	Cranbrook .. ..	Kent.	29	Rochester .. ..	Kent.
9	Croydon .. ..	Surrey.	30	Rye . . .	Sussex.
10	Deal .. ..	Kent.	31	Sandwich .. ..	Kent.
11	Deptford .. ..	Kent.	32	Sheerness .. ..	Kent.
12	Dover .. ..	Kent.	33	Shooters Hill . . .	Kent.
13	East Grinstead .. .	Sussex.	34	Sittingbourne . . .	Kent.
14	Edenbridge .. ..	Kent.	35	Staplehurst .. ..	Kent.
15	Feversham .. ..	Kent.	36	St. Leonards .. .	Sussex.
16	Folkestone .. ..	Kent.	37	Tenterden .. ..	Kent.
17	Gravesend .. ..	Kent.	38	Tunbridge .. ..	Kent.
18	Greenwich .. ..	Kent.	39	Tunbridge Wells .. .	Kent.
19	Hastings .. ..	Sussex.	40	Walmer .. ..	Kent.
20	Hythe .. ..	Kent.	41	Wingham .. ..	Kent.
21	Lee .. ..	Kent.	42	Woolwich .. ..	Kent.

(F.)—List of the Countries and Colonies the Correspondence of which to and from Sardinia, and to and from countries in transit through Sardinia, should be forwarded by London.

Number.	Names of the Countries.	Number.	Names of the Countries.
1	The United Kingdom of Great Britain and Ireland (with the exception of the towns enumerated in Table E).	18	Guiana, British.
2	Africa, West Coast of.	19	Honduras.
3	Antigua.	20	Jamaica.
4	Australia, via England.	21	Montserrat.
5	Bahamas.	22	Mauritius.
6	Barbadoes.	23	Nevia.
7	Bermuda.	24	New Brunswick.
8	Bolivia.	25	Newfoundland.
9	Brazil and River Plate.	26	Nova Scotia.
10	Canada.	27	New South Wales.
11	Carriacou.	28	New Granada.
12	Central America, States of.	29	Peru.
13	Chili.	30	Prince Edward Island.
14	Countries beyond sea generally.	31	St. Christopher (St. Kitts).
15	Dominica.	32	St. Lucia.
16	Equator, Republic of.	33	St. Vincent.
17	Grenada.	34	Tasmania.
		35	Tobago.
		36	Tortola.
		37	Trinidad.
		38	United States of America.





Origin	Optional ...	Destination	...	0 6	0 20	0 60	1 0	1 20	0 20	The same rate as for unpaid letters addressed to England.
Africa, Gold Coast, St. Helena, Sierra Leone	Optional ...	Destination	...	0 6	0 20	0 60	1 0	1 20	0 20	The same rate as for unpaid letters addressed to England.
Badagry, Bonny, Cameroons, Fernando Po, Goree, Lagos, Liberia, New Granada, Old Calabar, Venezuela, Wydah ...	Compulsory	Port of embarkation	...	1 0	...	1 20	...	...	...	...
Brazil, Buenos Ayres, and Monte Video ...	Do...	Do.	...	1 0	...	1 20	...	...	...	...
Vancouver's Island ...	Do...	Do.	...	0 6	...	0 60	...	...	...	...
Haiti, Martinique, Guadeloupe, Porto Rico ...	Do...	Do.	...	1 4	...	1 60	...	...	...	...
Madeira, Cape Verde Islands, the Canary Islands ...	Do...	Do.	...	1 2	...	2 10	...	...	...	...
Portugal and the Azores	Do...	Do.	...	1 8	...	2 0	...	...	...	...
Spain via Southampton.	Do...	Do.	...	2 2	...	2 60	...	...	...	...
United States of North America, West Coast of South America via Panama, California, and Oregon ...	Do...	English Port of embarkation	...	0 1	...	0 10	...	...	...	...
United States of North America, West Coast of South America via Panama, California, and Oregon ...	Do...	United States Port of embarkation	...	0 9	...	0 90	...	...	...	...
United States of North America, West Coast of South America via Panama, California, and Oregon ...	Do...	Port of embarkation	...	2 0	...	2 40	...	...	...	...
United States of North America, West Coast of South America via Panama, California, and Oregon ...	Do...	Do.	...	1 2	...	1 40	...	...	...	...
United States of North America, West Coast of South America via Panama, California, and Oregon ...	Do...	Do.	...	2 4	...	2 80	...	...	...	...
United States of North America, West Coast of South America via Panama, California, and Oregon ...	Do...	Do.	...	2 2	...	2 60	...	...	...	...
United States of North America, West Coast of South America via Panama, California, and Oregon ...	Do...	Do.	...	0 6	...	0 60	...	...	...	...
St. Croix, St. Thomas ...	Do...	Do.	...	0 6	0 20	0 60	0 6	0 60	0 20	The same rate as for unpaid letters addressed to England.
Foreign countries, really beyond sea, by private ships leaving or arriving at ports of the United Kingdom	Do...	Do.	...	0 8	...	0 80	...	...	...	...

\* In addition to the rates set down in Columns 4 and 5 of this Table, the Office of Sardinia must account to the British Office at the rate of 1 franc per 50 grammes net weight, in repayment of the French transit rate.

(H.)—TABLE showing the Conditions on which shall be exchanged in ordinary Mails between the Post Office of Sardinia and the British Post Office Ordinary Letters dispatched from the Foreign Countries, the Correspondence of which is transmitted through Sardinia for Great Britain, and *vice versa*. In addition to the Rates set down in Column 5 of this Table the British Office must account to the Office of Sardinia at the rate of One Franc per Thirty Grammes, net weight, in Repayment of the French Transit Rate.

FOREIGN COUNTRIES.	Letters delivered by the Office of Sardinia to the British Office.					Letters delivered by the British Office to the Office of Sardinia.			
	Regulation as to Payment in Advance.	To what Limit.	Rate of Postage per single letter to be paid by the Office of Sardinia to the British Office for paid letters.	Rate of Postage per single letter to be paid by the British Office to the Office of Sardinia for unpaid letters.		Regulation as to Payment in Advance.	To what Limit.	Rate of Postage per single letter to be paid by the Office of Sardinia to the British Office for unpaid letters.	Rate of Postage per single letter to be paid by the British Office to the Office of Sardinia for paid letters.
1.	2.	3.	4.	5.		6.	7.	8.	9.
Austria ...	Optional ...	Destination.	f. c. 0 20	f. c. 0 40		Optional ...	Destination.	f. c. 0 20	f. c. 0 40
Parma ...	Do. ...	Do. ...	0 20	0 20		Do. ...	Do. ...	0 20	0 20
Modena ...	Do. ...	Do. ...	0 20	0 30		Do. ...	Do. ...	0 20	0 30
Tuscany ...	Do. ...	Do. ...	0 20	0 30		Do. ...	Do. ...	0 20	0 30
Papal States.	Compulsory	Point of entering Sardinia	... ..	0 10		Payment in advance is not allowed.			—
Two Sicilies.	Do. ...	Point of entering Sardinia	... ..	0 10		Payment in advance is not allowed.			—
Countries beyond Sea...	Do. ...	Port of Embarkation	... ..	0 30		Compulsory: Port of Disembarkation	... ..		0 30

(I.)—TABLE showing the Rates of Postage to be paid by the Post Office of Sardinia to the British Post Office upon Paid Letters and Book Packets dispatched from Sardinia, *via* Malta, to the under-mentioned Countries, and upon Unpaid Letters and Book Packets dispatched from those Countries *via* Malta to Sardinia.

COUNTRIES.	Paid Letters and Book Packets dispatched from Sardinia to Malta.		Unpaid Letter and Book Packets dispatched from Malta to Sardinia.	
	Rate per single Letter for Letters.	Rate per kilogramme for Book Packets.	Rate per single Letter for Letters.	Rate per kilogramme for Book Packets.
	f. c.	f. c.	f. c.	f. c.
East Indies ..	0 67½	2 80	0 77½	2 80
Australia ..	0 67½	2 80	0 77½	2 80
China ..	0 67½	2 80	0 77½	2 80

(K).—TABLE showing the Conditions upon which shall be exchanged in Ordinary Mails between the British Post Office and the Post Office of Sardinia Book Packets dispatched from the Countries the Correspondence of which is forwarded through Great Britain for Sardinia, and the Countries the Correspondence of which is forwarded through Sardinia, and *vice versa*.

FOREIGN COUNTRIES.	Book Packets delivered by the British Office to the Office of Sardinia.		Book Packets delivered by the Office of Sardinia to the British Office.	
	Limit of Compulsory Prepayment.	Rate of Postage to be paid by the Office of Sardinia to the British Office (per Kilogramme).	Limit of Compulsory Prepayment.	Rate of Postage to be paid by the Office of Sardinia to the British Office (per Kilogramme).
1.	2.	3.	4.	5.
United States } By British packets By United States packets (a) Western Coast of South America via Panama Places in the Indian or China Ocean Colonies and countries beyond sea generally, by way of England, and by means of British packets.	United States Port of Embarkation	f. c. 3 0	United States Port of Disembarkation	f. c. 2 0
	English Port of Disembarkation	2 0	English Port of Embarkation	1 0
	Port of Embarkation	5 40	Port of Disembarkation	4 40
	Port of Embarkation	2 80	Port of Disembarkation	1 80
	Port of Embarkation	3 0	Port of Disembarkation	2 0

(a) To be sent by this route book packets should bear on the address the words "By United States Packet."

(L).—TABLE showing the Conditions on which shall be exchanged in Ordinary Mails between the Post Office of Sardinia and the British Post Office Book Packets dispatched from the Foreign Countries the Correspondence of which is transmitted through Sardinia for Great Britain, and *vice versa*.

FOREIGN COUNTRIES.	Book Packets delivered by the Office of Sardinia to the British Office.			Book Packets delivered by the British Office to the Office of Sardinia.		
	Limit of Compulsory Prepayment.	Rate of Postage to be paid by the British Office to the Office of Sardinia (per Kilogramme).	Rate of Postage to be paid by the Office of Sardinia to the British Office (per Kilogramme).	Limit of Compulsory Prepayment.	Rate of Postage to be paid by the Office of Sardinia to the British Office (per Kilogramme).	Rate of Postage to be paid by the British Office to the Office of Sardinia (per Kilogramme).
		f. c.	f. c.		f. c.	f. c.
Austria ... ..	Destination ...	...	1 0	Destination (a) ...	...	2 50
Parma ... ..	Destination ...	...	1 0	Destination ...	...	2 50
Modena ... ..	Destination ...	...	1 0	Destination ...	...	2 50
Tuscany ... ..	Destination ...	...	1 0	Destination ...	...	2 50
Papal States ...	Point of leaving Sardinia	1 0	...	Point of entering Sardinia	—	—
Two Sicilies ...	Point of leaving Sardinia	1 0	...	Point of entering Sardinia	—	—
Countries beyond sea	Port of Embarkation	3 0	...	Port of Disembarkation	...	2 0

(a) Book Packets exceeding 16 ounces in weight cannot be forwarded to Austria via Sardinia.

## S I A M.

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BRITISH ORDER IN COUNCIL, *additional to the Order in Council of July 28, 1856,\* providing for the exercise of Jurisdiction in Siam; relative to the non-return of British Subjects sent out of Siam.* Windsor, September 12, 1863.

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AT the Court at Windsor, the 12th day of September, 1863.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS by an Order in Council for the government of Her Majesty's subjects being within the dominions of the Kings of Siam, bearing date the 28th day of July, 1856, Her Majesty was pleased (amongst other things) to give authority to any of Her Majesty's Consuls within the dominions of the Kings of Siam, to cause any British subject who, after having been twice convicted of, and punished for, any crime or offence, shall not be able to find good and sufficient security for his good behaviour, or who may be convicted before any such Consul of any of certain particular crimes therein enumerated to be sent out of the dominions of the Kings of Siam :

And whereas it is expedient to make further provision against the return of any such British subject so sent out of the dominions of the Kings of Siam as aforesaid :

Now, therefore, Her Majesty, by virtue of all the powers enabling Her in this behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :

I. It shall not be lawful for any person who shall hereafter be sent out of the dominions of the Kings of Siam by any of Her Majesty's Consuls within the said dominions, under and by virtue of the authority given to such Consuls by the said Order in Council of the 28th day of July, 1856, or under or by virtue of this present Order, afterwards to return to, and again take up his abode within any part of the said dominions, without Her Majesty's express permission, to be signified in writing by one of Her Majesty's Principal Secretaries of State.

II. If any such person shall return to, and take up his abode within any part of the said dominions, contrary to this present Order, he shall, if duly summoned to appear and answer for so doing before any of the said Consuls, be punishable by a fine not exceeding 200 dollars, or by imprisonment, for a term not exceeding one calendar month; and, in addition to such punishment, every such person shall be bound to find good and suf-

\* See Vol. 10. Page 577.



ficient security, to the satisfaction of the Consul, for his future good behaviour; and, in the event of his failing so to do, it shall be lawful for the said Consul, at any time afterwards, to cause him to be again sent out of the dominions of the Kings of Siam, in the manner provided by the said Order in Council of the 28th day of July, 1856.

ARTHUR HELPS.

## SPAIN.

DECREE of the Queen of Spain, fixing the Duties to be paid by National and Foreign Ships entering the Ports of Spain.—  
Madrid, December 16, 1851.

(Translation.)

IN consideration of the reasons which have been stated to me by the Minister of Commerce, &c., in concurrence with the Council of Ministers, I decree as follows:

ART. I. The administration and service of the ports of the Peninsula and of the adjacent islands, the cleansing thereof, their preservation and the works in the same belong to the Government, and will be under the direction of the Ministry of Commerce, &c.

II. The collection of the imposts established by the present Decree will be made by the subordinate officers of the Ministry of Finance.

III. The works and cleansing of the ports of general interest will be entirely defrayed by the State. The works and cleansing of ports of local interest will be defrayed by the State and by the locality. A regulation will define both classes according to their circumstances.

IV. The imposts at present levied in the ports, whatever their denomination and their object may be, provided they are levied for the benefit of those ports, will be reduced to two sole charges, denominated anchorage dues, and dues for lading and unlading.

For the levying of these dues the following rules will be observed:

1. Spanish merchant-vessels entering and leaving the ports of the Peninsula and of the adjacent islands will pay 1 real ( $2\frac{2}{3}d.$ ) per ton, as per measurement, and one-eighth of a real ( $\frac{1}{8}d.$ ) per quintal on the goods laden and unladen.

2. Foreign merchant-vessels entering and leaving the Peninsula and the adjacent islands will pay 2 reals ( $5\frac{1}{3}d.$ ) per ton,

and one-fourth of a real ( $\frac{3}{4}d.$ ) per quintal on the goods laden and unladen.

3. Vessels measuring upwards of 20 tons and not reaching 60 tons will pay one-half of the anchorage duty, and the full duty of lading and unloading.

4. Vessels measuring upwards of 60 tons will pay both dues in full.

5. Those which measure less than 20 tons will be free from anchorage duty, and will only pay one-half of the duty of lading and unloading.

6. The above regulations with regard to foreign vessels are understood to be without prejudice to the stipulations of existing Treaties.

V. The anchorage duty will be levied at one sole port, which will be the first in which it becomes due. The duty of lading and unloading will be paid at the ports where these operations may take place in proportion to the quantities laden or unladen.

VI. Steam-vessels employed in the conveyance of passengers will pay their dues once for each voyage, in the manner which will be specified in the regulation.

VII. The produce of all port dues will be necessarily and exclusively applied to the cleansing, preservation, and other works in the ports; the amount thereof will be every year assigned in the Budget to the Ministry of Commerce, &c.

VIII. In order to meet the cost of works in those ports which urgently require them, the Government may contract a loan by public competition, on the security of the produce of the aforesaid dues, to the amount which may be considered necessary for the amortization of the capital and payment of the interest thereon.

IX. The Government, at the request of the Boards of Trade, and after having taken the opinion of the Provincial Deputations, may authorize the levy of special charges at certain ports, and the contracting of loans on the produce thereof, for the works of those ports.

X. The regulations contained in the present Decree will come into force from the 1st of February of next year.

XI. The Government will make this Decree known to the Cortes, as well as the loans which may be contracted by virtue of the same.

Given at the Palace this 16th of December, 1851.

(Signed by the Royal Hand.)

MARIANO MIGUEL DE REINOSO, *Minister of Commerce, &c.*

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DECREE of the Queen of Spain, abolishing Differential Duties on Foreign Shipping, on condition of Reciprocity.—Madrid, January 3, 1852.

(Translation.)

YOUR MAJESTY,

THE Spanish mercantile marine is favoured by the Legislature with differential duties of two kinds, the one relating to those called navigation and port dues, which are levied on vessels according to their tonnage, and the amount of which is destined for the preservation, improvement, and construction of harbours, lighthouses, beacons, &c., the other an increase of duty on the foreign flag over and above the duty leviable on the merchandize under Spanish flag, whether it be properly an international duty or a Customs duty.

The navigation and port dues, which a very short time ago constituted among us numberless imposts of the most diversified kind, and which varied even to the mode of exacting them, whether by the public Treasury or by different corporations, were definitively settled by the Law of April 11, 1849, and by your Majesty's Royal Decree of the 16th of December last.\* In the former the lighthouse duty was established, and in the latter the anchorage duty, and the duties on lading and unlading, which have replaced all anterior exactions. Thus has been obtained, in so far as depends on the public administration, the incalculable advantage of avoiding the greater and lesser charges to which navigation was subject for want of uniformity in the duties imposed, and even the inequalities in the prices of the merchandize according to the places from which it was sent.

The differential duty of the flag, whatever may be the opinion held relative to the advantages it affords to the mercantile marine of a country, is a subject of the greatest importance for the interests it has created, and which are so much the more worthy of consideration, inasmuch as they emanate from the Legislature. The Undersigned, however, cannot help observing that the differential duty ought not, in his opinion, to be a so much per cent., calculated on the quota imposed on the national flag, inasmuch as the basis of each duty is altogether independent and even distinct. The one constitutes a most important revenue of the Treasury in its two categories of fiscal duty and protector of our industry; the other ought never to exceed the difference in the amount of the freights, which, as a general rule, come heavier in Spain in proportion as the navigation is longer and the capacity of the vessel occupied by merchandize of equal value greater.

On the other hand, your Majesty's Government finds it laid down as a principle in the Law of July 19, 1849, that this differential duty of the flag ought to exist, and as any

\* See Page 783.

variation on that point requires the profoundest consideration, it does not think the moment has yet arrived for proposing any reform thereon.

But it is not the same with the port and navigation dues. Your Majesty's Government feels perfectly convinced that Spain ought to show herself just towards all those nations her allies who maintain with her commercial and political relations, friendly and hence advantageous, inasmuch as they promote our productive powers in general and our agriculture in particular.

Nor is this innovation, which your Majesty's Government has the honour to propose, one without example. In 1844, your Majesty was pleased to ordain that the French flag should be placed on the same footing as the Spanish flag as regarded the payment of navigation dues levied in the harbours of the Peninsula, thus reciprocating what was practised in France towards the Spanish flag. And this is precisely what, in the opinion of the undersigned Minister, it is advantageous to the interests of Spain to make general.

The Spanish mercantile marine ought not to suffer any disadvantage by reason of extending the principle of reciprocity; but should it be refused, that marine would see itself progressively excluded by the other countries which adopted the system of reciprocity. Efficaciously protected by the differential duty of the flag, our navy has always been viewed with especial favour by the Legislation; but we must nevertheless take into consideration that although this is a branch in itself of importance under every aspect, it must not be attended to exclusively. An irrefragable proof of this protection is, that amongst other regulations at present existing there are these: that a Spanish vessel registered according to law cannot enjoy the advantages conceded to the national flag unless the proprietor, the captain, the pilot, the mate, and two-thirds of the crew are Spanish; that the entry of foreign ships under 400 tons is prohibited; that a duty of 120 reals (1*l.* 4*s.*) per ton is imposed on foreign ships for every ton reaching or exceeding the above-mentioned number; that Spanish vessels bringing foreign merchandize from harbours near to the Peninsula be deprived of the benefits of the flag; that the same penalty be imposed on national vessels which are hove down in foreign ports; that the very light *ad valorem* duty of 2 per cent. is imposed on all timber destined for the masts and construction of vessels; and lastly, that to the owner of every vessel constructed, armed, and equipped in the kingdom, whose measurement is of or exceeds 400 tons, a premium of 120 reals (1*l.* 4*s.*) is granted for every ton of measurement, as soon as it has set sail for a colonial port.

It is undeniable that in the majority of nations the mer-



cantile navy progresses in an exact ratio to the productive power in all its branches, and that that navy exists in order to afford an outlet to, and consequently, in order to increase the value of its products. On any other view that navy can alone prosper amongst those nations which devote themselves to the carrying trade, as was the case with Holland in former times. Spain is not in a similar position. Her navy, like that of the generality of the countries of Europe and America, is sufficient for all her mercantile transactions, but there are no nations now-a-days which devote themselves, as in former years, to commerce, and monopolize that of different other nations, on which account their flags were recognized on all seas as exclusive.

If, then, navigation facilitates commerce and augments production, trade on our coasts ought to be favoured by encouraging the greatest possible number of vessels of all nations, promoting thus the rise in the price of that merchandize which we export principally abroad, and which has to contend with considerable disadvantages by reason of the import duties payable at some of the places to which it is sent.

Spanish vessels favoured at present by the Legislation are, it may be said, the only ones which carry on the commerce of the Peninsula with her possessions beyond the sea. It is to be hoped that they may continue to be so by reason of the advantages they enjoy in those countries, from the nature of the merchandize which they carry, and the other benefits arising from a commerce between nations professing the same religion, speaking the same language, and depending on the same mother country. This commerce will augment gradually in the same proportion, and as a necessary consequence of the increase of riches and welfare of all classes of our nation. The Spanish mercantile marine will likewise be induced more and more to introduce the raw material which national industry already requires from abroad in greater quantities by reason of the increase of our manufactures in many of their branches.

Nations of much greater mercantile importance than Spain, such as England, The United States, France, and others which have much better conditions for their navy than we have, have not been able to exclude the vessels of other nations in the trade which they carry on with them, and it is undeniable that some of these nations are in this respect proportionably inferior to the Spanish, although their flags may wave over a greater number of seas.

The completion of protection would be the removal of all legal trammels, such as the duties imposed on all objects devoted to ship building, cordage, sails, and provisions for the crews, as well as other measures which the Government cannot propose without serious consideration, inasmuch as it must conciliate as

far as is possible the interests of the generality, without injuring one class in order to favour others exclusively.

As it is not the wish of your Majesty's Government that reciprocity with one or more nations should be conceded for the sole purpose of conferring a species of privilege in their favour, but that the system should be extended to all who may accept it, the Government will have the right to refuse the treatment of the most favoured nation to all but those who have placed themselves in the same circumstances as that nation which has merited the favour as a reciprocity for its own proceedings.

Such is the basis of this proposition to equalize the navigation and port dues on all the vessels of other nations which concede an equal benefit in their respective territories to our vessels. A similar reciprocity is more just than to exact in Spain the same quota which is exacted abroad, for although the latter is higher, it must be confessed that it is but a compensation for the greater expenses incurred in the construction of harbours, moles, and above all lighthouses, which afford greater advantages than we can offer in our country, until the necessary works, to which the Government is directing its whole attention, can furnish the good results it so much desires.

Considering then what has been stated, the Undersigned having taken the opinion of a mixed Commission, composed of individuals from the Ministries of Foreign Affairs, Commerce, &c., Marine, and Finance, appointed to give information on this subject, as well as that of the General Board of Customs and in concurrence with the Council of Ministers, has the honour to submit to your Majesty's approbation the following project of a Decree.

*Madrid, January 3, 1852.*

J. BRAVO MURILLO.

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*Royal Decree.*

IN accordance with what has been proposed to me by my Minister of Finance, in concurrence with the Council of Ministers, I decree as follows :

ART. I. The vessels of all those nations which concede the same benefit in their respective territories to the vessels of the Spanish navy shall be placed on the same footing as Spanish vessels, in the Peninsula and adjacent islands, as regards the levying of navigation and port dues, whether lighthouse, harbour, lading and unlading dues, laid down in the Law of April 11, 1849, and in my Royal Decree of the 16th of December last,\*

II. The Government will give an account to the Cortes of this order.

Given at the Palace on the 3rd of January, 1852.

(Signed by the Royal Hand.)

JUAN BRAVO MURILLO, *Minister of Finance.*

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\* See Page 783.

DECREE of the Queen of Spain, classifying and determining the Civil Condition of domiciliated and migratory Foreigners (*Domiciliados y Transeuntes*), their Rights and Obligations.—  
*Madrid, November 17, 1852.*

(Translation.)

TAKING into consideration the reasons which my principal Secretary of State has explained to me, in accordance with the advice of my Council of Ministers, I decree as follows:

CHAP. I.—*Of Foreigners, and their classification in Spain.*  
 [Nationality.]

ART. I. The following are Foreigners:

1. All persons born of foreign parents out of the dominions of Spain.

2. The children of a foreign father and a Spanish mother, born out of those dominions, if they do not claim the nationality of Spain.

3. Those who have been born in Spanish territory, of foreign parents, or of a foreign father and Spanish mother, if they do not make that claim.

4. Those who have been born out of Spanish territory, of parents who have lost their Spanish nationality.

5. The Spanish woman who contracts matrimony with a foreigner.

The national vessels are considered as part of the Spanish dominions, without any distinction whatever.

II. Foreigners who have obtained letters of naturalization, or gained residential rights (*vecindad*) in accordance with the laws, are accounted Spaniards.

III. All the rest who reside in Spain without having obtained letters of naturalization, or gained residential rights, are domiciliated or migratory foreigners.

IV. Those shall be understood as domiciliated, for legal purposes, who may be established as heads of houses, or with fixed residence, or residence prolonged for 3 years, and property of their own, or profession and manner of living known in the territory of the monarchy, with the permission of the superior civil authority of the province.

V. Those shall be considered as migratory foreigners who have not their fixed residence in the Kingdom, in the manner expressed in the preceding Article.

CHAP. II.—*Of the Regulations to be observed for the entrance and residence of Foreigners in Spain.* [Passports. Registration.]

VI. On entering the Spanish territory every foreigner will have to present at the first port or frontier town where he arrives, his passport viséed by the proper agent of the Spanish

Government; the local authority will countersign that passport in the usual manner.

VII. No foreigner can travel in the Kingdom with the passport of his national Legation or Consulate, excepting when he enters the Spanish territory, or when he departs from it.

VIII. Any migratory foreigner who wishes to become domiciliated must solicit the proper licence from the superior civil authority of the province, furnishing proof that he combines the circumstances indicated in Article IV.

IX. In the civil Governments of all the provinces, matriculations, or registers shall be formed and kept up, in which are to be entered the names and circumstances of the foreigners who reside or may come to reside in the Kingdom; the two classes of migratory and domiciliated being kept separate.

X. In all the foreign Consulates established in Spain, there shall also be formed and kept up matriculations or registers of the subjects of the respective nations.

These matriculations have to be compared with those of the civil Governments, for it is only when they agree with them, and are in accordance with the forms prescribed in Spain, that they can have legal effect in the Kingdom.

XI. The matriculations of the civil Governments and those of the foreign Consuls shall be compared annually.

XII. Those who are not inscribed in the matriculations of the provincial Governments and of the Consuls of their respective nations as migratory, or domiciliated, shall have no right to be considered as foreigners in any legal acceptance.

The inscription is to be renewed in case the foreigner passes from the class of migratory to that of domiciliated.

XIII. Any foreigner who may introduce himself into Spain, in contravention of the preceding provisions, without presenting his passport, may be punished as disobedient to the authority with a fine of from 100 to 1,000 reals, and be, besides, expelled from the Spanish territory, if the Government should so determine upon the report of the civil authority through the Ministry of the Government, and as may be agreed upon in consequence by the latter itself and by the Ministry of State.

XIV. If any foreigner should arrive at a port or a frontier town without the proper passport, he shall be detained by the Spanish authorities, who must immediately give an account to the Government through the Ministry for Home Affairs, describing the circumstances of the foreigner, and whether he is vagrant, or whether he is seeking asylum against the proceedings of his natural judges. The Government, with this information, the Foreign and Home Ministries proceeding always definitively for these matters in concurrence, shall decide upon the expulsion of the foreigner, appoint his place of residence, or give such orders as it may deem most expedient.



XV. The same shall be done when groups or bodies of emigrants arrive in Spain, until the Government shall appoint their place of stay and such else as it may deem expedient, but in all cases those who come armed must immediately deliver up their arms.

XVI. Any foreigner who may disobey the order for his expulsion from the Kingdom, will be subject to the punishment appointed in Article CCLXXXV of the Code, the disobedience being for that purpose considered as a serious matter, and the order for expulsion as an affair of the public service, and which is nevertheless to be carried out after the punishment has been inflicted.

CHAP. III.—*Of the Civil condition of domiciliated and migratory Foreigners, their Rights and Obligations. [Right to Trade, and to possess Landed Property. Liability to payment of Loans and Contributions. Exemption from Military Service. Religion. Coasting Trade. Coast Fishery. Intestate Property. Actions at Law, &c.]*

XVII. All foreigners, those who have obtained the rights of denizens as well as those who are migratory, shall have the right of freely entering and leaving the ports and towns of Spain, and of travelling with the same freedom in its territory, submitting themselves to the regulations established by the laws for Spanish subjects, as well as to those of the ports and police.

XVIII. They may also acquire and possess landed property, undertake the employments, and take part in all the enterprises which are not reserved, by the existing laws and regulations, for Spanish subjects.

XIX. Domiciliated foreigners may carry on trade by wholesale and by retail, on the conditions established for Spaniards by the laws and regulations; and they shall have a right to enjoy all the common advantages of the town wherein they have their domicile.

XX. Migratory foreigners may trade by wholesale, observing the laws and regulations which are in force in the kingdom.

XXI. Both domiciliated and migratory foreigners are bound to pay all taxes and imposts of every kind to which their landed property, the trade or employment in which they are engaged are liable, in accordance with the general laws and regulations of the kingdom.

XXII. Those who are domiciled shall be subject besides to the payment of loans, gifts, and every kind of extraordinary or personal contribution; those who are migratory are exempted from these, as well as from municipal imposts, local and provincial rates.

XXIII. Both classes shall be exempt from serving the local

offices; but those who are domiciliated with households of their own shall be liable to the charges of lodging and baggage.

XXIV. Both the domiciliated and the migratory as well as their children, when they have not elected for Spanish nationality, shall be exempt from military service.

This exemption does not extend to grandchildren when their fathers have been born in Spanish territory, although they retain their foreign nationality.

XXV. No foreigner can profess in Spain any other than the Catholic Apostolic Roman religion.

XXVI. Nor can they participate in the political rights belonging to Spaniards, nor obtain ecclesiastical benefices of any kind, nor fish on the coasts of Spain, nor carry on the coasting trade with their vessels.

XXVII. Neither can they exercise municipal rights in the elections for the corporations, nor obtain municipal offices, nor be employed in the various posts of the State, if they do not expressly renounce for themselves and their children, the exemption from military service, and all exceptional protection in regard to the service of their offices.

In order to make that renunciation, which must be done before the superior civil authority of the province, and of which the requisite notes shall be made in the respective matriculations, the person renouncing must have been inscribed beforehand in the class of domiciliated foreigners.

XXVIII. In cases of domiciliated or migratory foreigners dying intestate, the local authority in concurrence with the Consul of the deceased's nation, shall draw up the inventory of the property and effects, and shall take the proper measures to place them in secure custody, until the lawful heir, or his legal representative, appears.

Both in these cases and in testamentary successions, the courts only shall take cognizance of the reclamations of creditors relative to embargo of property, and of such others as may be made for the fulfilment of obligations or responsibilities contracted in Spain or in favour of Spanish subjects.

XXIX. Domiciliated and migratory foreigners are subject to the laws of Spain and to the Spanish tribunals for the offences which they commit in Spanish territory, and for the fulfilment of the obligations which they contract in Spain, or out of Spain, provided they be in favour of Spanish subjects.

XXX. So long as a new organization of the courts and tribunals of the kingdom and of the various jurisdictions does not prevent it, the Governors of the Maritime forts and the Captains-General in the other places shall take cognizance in first instance of the suits and causes against domiciliated and migratory foreigners, and the Supreme Court of War and Marine and of Foreigners' Affairs in the second and successive instances.

XXXI. The privilege of foreignership mentioned in the preceding Article is merely passive, and foreigners whether domiciliated or migratory shall not be entitled to enjoy it in the following cases :

1. In smuggling offences.
2. In trials arising from mercantile operations.
3. In seditious offences and the others which are to be tried in accordance with the law of 17th April, 1821.
4. In offences committed on board ship and on the high seas, and in prize trials.
5. In actions for slave trading.
6. In trials of failures in which, according to the penal code, no Spaniards of any condition or state enjoy it.

The courts and judges respectively established by the laws shall be competent to try the said foreigners in all cases.

XXXII. Domiciliated and migratory foreigners are entitled to have justice administered to them by the Spanish tribunals in accordance with the laws, in the actions which they bring for the fulfilment of obligations contracted in Spain, or which are to be fulfilled in Spain, or when they concern property situated in Spanish territory.

XXXIII. In affairs between foreigners or against foreigners, although they may not proceed from real action nor from personal action, for obligations contracted in Spain, the Spanish judges shall nevertheless be competent when it is a question of preventing fraud, or adopting urgent and provisional measures for the detention of a debtor who intends to absent himself in order to elude payment, or for the sale of goods in danger of perishing in warehouses, or to provide *ad interim* a keeper for an insane person, or other similar cases.

XXXIV. The requisitorial letters of foreign judges will be complied with in all that can and ought to be done in the kingdom, according to the laws, when they come through the Foreign Ministry, with the customary formalities and requirements. Requisitorial letters for foreign authorities will be sent through the same Ministry. Those requisitorial letters which are not to be executed by the Spanish Consuls shall be sent direct to the foreign tribunals, judges, and authorities by whom the proceedings which they enjoin are to be taken.

XXXV. Contracts and other public acts executed out of the kingdom are valid and produce their legal effects before the Spanish tribunals, when the circumstances mentioned in the Royal Decree of 17th October, 1851, have been observed.

CHAP. IV.—*Of Foreign Vessels. [Surrender of Seamen Deserters and Criminals. Shipwreck and Salvage.]*

XXXVI. Vessels belonging to any of the foreign nations or powers may resort to the Spanish ports.

If they enter under stress of weather they shall be assisted by the Spanish authorities without other than the necessary restrictions for the prevention of fraud or contagion.

The vessels shall not be deprived of their crews, on the contrary, deserters shall be sent back on board if they can be apprehended.

XXXVII. Foreign merchant vessels shall not afford asylum to Spanish criminals; and if such should take refuge on board, the Spanish authorities, in concurrence with the respective Consuls, may proceed to their extradition.

XXXVIII. With regard to Spanish criminals who may take asylum in foreign ships of war, their extradition shall be claimed in the diplomatic way, in accordance with the existing laws and Treaties.

XXXIX. If any excess should occur on board a merchant vessel anchored in a Spanish port, that might disturb public tranquillity or assail the internal or external security of the State, the competent local authority shall have the right of interfering and taking cognizance to prevent and repress such excesses. But if they exclusively affect the internal discipline of the vessel, the captain will proceed as he thinks best, and he shall obtain the assistance of the Spanish authorities, if he applies for it.

XL. In cases of shipwreck of a foreign vessel the Marine authorities—none others having any right to assume a competency and occasion hindrance, damage, and out-of-the-way claims—shall provide, with the assistance of all the rest, everything that may be necessary for the salvage of the persons, the vessel and its cargo, proceeding altogether in concurrence with the captain of the vessel and the Consul of the nation to which it belongs, should there be one at the place.

If there be no Consul at the place of the shipwreck, the nearest one may appoint a person to represent him with sufficient authority.

Foreigners are exempt, as well as Spanish subjects at present, from the payment of any sum on account of costs or process dues in the transactions, statements, or proceedings which are occasioned by the shipwreck and salvage.

They, like Spanish subjects, shall only pay the expenses which are occasioned by the salvage itself.

Neither in case of the alteration of the existing legislation and regulations, nor in any other, shall foreigners ever be obliged to pay on account of salvage, higher dues than those which are paid by Spanish subjects; but the delivery of the goods saved may be withheld until the dues upon them have been paid, or the reimbursement is secured by a sufficient guarantee.



CHAP. V.—*General Provisions. [Non-application to Spanish Colonies, or to Diplomatic Subjects of Turkey and Barbary Powers. Naturalization.]*

XLI. All the provisions of the present decree are applicable only to the Peninsula and the adjacent islands; the regulations concerning foreigners now existing in the Colonial provinces still remaining in all their force and vigour there.

XLII. Nor do they alter the laws respecting Ambassadors, Ministers Plenipotentiary, and the other individuals belonging to the foreign Legations.

XLIII. The subjects of the Sublime Porte, the Moors of Morocco, and those of the Barbary Regencies, shall be judged by the respective Consuls in the matters which occur among them, according to the existing Treaties and regulations.

XLIV. The rights of foreigners who acquire Spanish nationality by obtaining letters of naturalization, or by gaining residential rights according to the Constitution, as well as the formalities and conditions for obtaining them will be determined by a special measure.

XLV. The foreigner who may obtain naturalization in Spain, as well as the Spaniard who may obtain it in the territory of another Power, without the knowledge and authorization of his Government, shall not free himself from the obligations which were consequent to his primitive nationality, although a subject of Spain loses in another conception his quality as a Spaniard, in accordance with the provision in the fifth paragraph, Article I of the Constitution of the Monarchy.

In consequence of this declaration, if a foreigner should have become naturalized in Spain without the authorization of his Government, and should seek by that means to exempt himself from the obligations of military service, or others which belong to him in his primitive country, the Spanish Government will not maintain the exemption, nor will it recognize such exemption in a Spaniard who should allege change of nationality without having obtained the aforesaid authorization.

Given at the Palace, 17th November, 1852.

(Signed by the Royal Hand.)

MANUEL BERTRAN LE LIS, *Minister of State.*

DECLARATION of the British and Spanish Governments, for the Abolition of the practice of Firing on Merchant Vessels from British and Spanish Forts in the Straits of Gibraltar. Signed, in the English and Spanish languages, at Madrid, March 2, 1865.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of Her Majesty the Queen of Spain, taking into consideration that

the causes which gave rise to the establishment of certain precautions in the fortified places which command the Straits of Gibraltar, in the case of vessels approaching them within the distance of cannon-shot while sailing in those waters, no longer exist; and having regard to the inconveniences to which the navigation of merchant vessels has been liable by a compliance with the formalities to which they are subjected by reason of the aforesaid precautions, when the currents or the winds oblige them to enter into the waters belonging to the maritime jurisdiction of the aforesaid fortified places; and taking into consideration, finally, that those fortified places, under normal circumstances, are exempted by the good faith of nations from surprises or attacks which the law of nations condemns, have agreed upon what follows:

1. In the places of war and fortresses belonging to Great Britain and Spain which command the Straits of Gibraltar, those regulations are abolished, in virtue of which it is required that merchant vessels which cruize in the said Straits shall show their flag in passing within cannon-shot of those places or fortresses; and it is agreed equally to abolish the intimation by means of shots, at first with powder only, and afterwards with ball, to those vessels which neglect or refuse to comply with the aforesaid obligation of showing their flag.

2. The agreement which precedes does not deprive the Governments of Great Britain and Spain of the right of taking, in the aforesaid places and fortresses, in time of war, those precautions which they may think necessary, and which are in conformity with what the law of nations prescribes in regard to this matter.

3. The present Declaration does not exempt the vessels of either of the two nations from the observance of the rules of maritime etiquette in seas common to both, on meeting ships of war of either of the two nations; nor does it exempt them from the formalities respectively established for the entrance into the ports of the aforesaid British and Spanish fortresses which command the Straits of Gibraltar.

4. It is understood that this Declaration of the British and Spanish Governments in no way alters, modifies, or derogates from the dispositions, regulations, and practices which at present are in force in the aforesaid places and fortresses with regard to ships of war which navigate in those waters or which enter their ports.

5. Both Governments will give the necessary orders for the execution of the present agreement, which will begin to come into force from and after the 15th of the present month.

In witness whereof the present Declaration has been signed in duplicate by Sir John Fiennes Crampton, Baronet, Knight Commander of the Most Honourable Order of the Bath, Her

Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Madrid, and by Don Antonio Benavides, Knight Grand Cross of the Royal and distinguished Order of Charles III, and Her Catholic Majesty's Minister of State, who have affixed thereto their respective seals.

Done at Madrid, the 2nd day of March, in the year of our Lord 1865.

(L.S.) JOHN F. CRAMPTON.

(L.S.) ANTONIO BENAVIDES.

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DECREE of the Queen of Spain, for the prevention of Slavery and Slave Trade in the Islands of Cuba and Porto Rico. San Ildefonso, October 27, 1865.

(Translation.)

IN consideration of the reason explained to me by my Colonial Minister, and in accordance with my Council of Ministers,

I have decreed as follows:

ART. I. The 103 freshly-arrived negroes landed from a Portuguese vessel, and captured by the authorities in the Island of Cuba, in the month of September last, at a place called "The Cat" (El Gato), on the frontier of the jurisdiction of St. Cristobal and Pinar del Rio, shall be transported, at the expense of the Government, to the Island of Fernando Po, or to any other of the Spanish possessions in the Gulf of Guinea.

II. There shall also be transported to the same possessions, after the publication of this Decree, all negroes who may be captured by the Spanish authorities or forces, of any class whatever, in due accordance with the Treaties with foreign nations, and those laws and resolutions of the kingdom which prohibit the Slave Trade.

III. A special rule shall determine the conditions upon which slaves at present in the Islands of Cuba and Puerto Rico may pass from one island to the other, or through the interior. All negroes who may be captured, who do not present these conditions and cannot be proved to be vagrants, are to be comprehended under the provisions of Article II of the present Decree.

IV. The transportation of the negroes referred to in the 3 preceding Articles, shall be carried into effect immediately upon the competent tribunals or authorities declaring them emancipated, and placing them at the disposal of the Supreme Civil Governors. The Government of Her Majesty will take proper steps for making this declaration with as little delay as possible, no matter what the nature or character of the proceedings instituted in virtue of the capture.

V. Negroes transported to the Spanish possessions in the

Gulf of Guinea shall, on their arrival there, become completely free, and shall be conveyed to the port they may choose on the coast of the African continent, unless they should prefer remaining in the Spanish possessions under the protection of the Government; or be contracted for as free labourers, in the same manner as the "Krumen" negroes, and for the period determined by the regulations.

VI. When the negroes who have been transported choose, in the exercise of their freedom, to remain in Fernando Po, or in any other of the possessions above specified, the Spanish authorities shall take care to carry into effect the humane provisions of Annex C to the Treaty of June 28, 1835,\* and faithfully to carry out, in the case of those negroes who have been emancipated by a sentence of the Mixed Courts of Justice, as well as of those who have been emancipated by the Spanish Courts, the provisions of Articles I and IV of the above-mentioned Annex, and the regulations of the Government relative to the emancipated slaves who have obtained their papers of freedom in the Islands of Cuba and Porto Rico.

VII. The permission conceded to the Supreme Civil Governors in those colonial possessions where slavery exists, of consigning emancipated negroes, is hereby revoked from this date.

VIII. According as the terms of consignments at present existing expire, the emancipated negroes shall be received into the dépôt, where the Government shall take care that they are provided with the necessary means of subsistence and remuneration, employing them on the public works in obligatory labour as long as they remain in that state.

IX. The Government may pronounce completely free all emancipated negroes who may enter the dépôt, and who have passed more than 5 years in the Islands of Cuba and Porto Rico, authorizing them to remain in the islands under the conditions fixed by the regulations, or conveying them to one of the Spanish possessions in the Gulf of Guinea, or any other place which they may themselves select.

X. It is forbidden to exceed the limits of the existing consignments. The actual legal proprietors of the emancipated slaves will for the future be the only ones responsible to the Government for the fulfilment of all the obligations imposed by the consignment.

XI. The Minister for the Colonies will draw up the necessary instructions for carrying into execution the present Royal Decree with the utmost exactitude and speed.

Given at San Ildefonso, 27th October, 1865.

(Signed by the Royal Hand.)

ANTONIO CANOVAS DEL CASTILLO, *Minister for the Colonies.*

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\* See Vol. 4. Page 440.



## SWEDEN AND NORWAY.

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*TREATY between Great Britain, France, and Sweden and Norway, for securing the Integrity of the United Kingdoms of Sweden and Norway. Signed at Stockholm, November 21, 1855.*

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[Ratifications exchanged at Stockholm, December 17, 1855.]

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SA Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, Sa Majesté l'Empereur des Français, et Sa Majesté le Roi de Suède et de Norvège, désirant prévenir toute complication de nature à troubler l'équilibre Européen, ont résolu de s'entendre dans le but d'assurer l'intégrité des Royaumes Unis de Suède et de Norvège, et ont nommé Plénipotentiaires pour conclure un Traité à cet effet, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Sieur Arthur Charles Magenis, Ecuyer, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi de Suède et de Norvège ;

Sa Majesté l'Empereur des Français, le Sieur Charles Victor Lobstein, Officier de l'Ordre Impérial de la Légion d'Honneur, Grand-Croix de l'Ordre Royal de l'Etoile Polaire de Suède, Commandeur de l'Ordre du Christ et Chevalier de celui de la Conception de Portugal, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi de Suède et de Norvège ;

Et Sa Majesté le Roi de Suède et de Norvège, le Sieur Gustave Nicholas Algernon Adolphe Baron Stierneld, son Ministre d'Etat et des Affaires Etrangères, Chevalier et Commandeur de Ses Ordres, Grand-Croix de son Ordre de Saint Olaf de Norvège, &c. ;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus de ce qui suit :

ART. I. Sa Majesté le Roi de Suède et de Norvège s'engage à ne céder à la Russie, ni à échanger avec elle, ni à lui permettre d'occuper, aucune partie des territoires appartenant aux Couronnes de Suède et de Norvège. Sa Majesté le Roi de Suède et de Norvège s'engage, en outre, à ne céder à la Russie aucun droit de pâturage, de pêche, ou de quelque autre nature que ce soit, tant sur les dits territoires que sur les côtes de Suède et de Norvège, et à repousser toute prétention que pourrait élever la Russie à établir l'existence d'aucun des droits précités.

II. Dans le cas où la Russie ferait à Sa Majesté le Roi de

Suède et de Norvège quelque proposition ou demande ayant pour objet d'obtenir soit la cession ou l'échange d'une partie quelconque des territoires appartenant aux Couronnes de Suède et de Norvège, soit la faculté d'occuper certains points des dits territoires, soit la cession de droits de pêche, de pâturage, ou tout autre sur ces mêmes territoires et sur les côtes de Suède et de Norvège, Sa Majesté le Roi de Suède et de Norvège s'engage à communiquer immédiatement cette proposition ou demande à Sa Majesté Britannique et à Sa Majesté l'Empereur des Français; et leurs dites Majestés prennent, de leur côté, l'engagement de fournir à Sa Majesté le Roi de Suède et de Norvège des forces navales et militaires suffisantes pour coopérer avec les forces navales et militaires de Sa dite Majesté, dans le but de résister aux prétentions ou aux agressions de la Russie. La nature, l'importance, et la destination des forces dont il s'agit, seront, le cas échéant, arrêtées d'un commun accord entre les 3 Puissances.

III. Le présent Traité sera ratifié, et les ratifications en seront échangées à Stockholm le plus tôt que faire se pourra.

En foi de quoi les Plénipotentiaires respectifs l'ont signé, et y ont apposé le cachet de leurs armes.

Fait à Stockholm, le 21 Novembre, l'an de grâce 1855.

(L.S.) ARTHUR C. MAGENIS.

(L.S.) V. R. LOBSTEIN.

(L.S.) STIERNELD.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Books, &c., transmitted to or from Sweden. January 20, 1865.*

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and were made chargeable and payable upon, for, and in respect of letters, newspapers, Parliamentary proceedings, and printed papers, transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post. And by the said Act power was given to the Commissioners of Her Majesty's Treasury (amongst other things), from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage, payable by law on the transmission by the post of *Foreign or Colonial* letters, or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight

\* See Vol. 5. Page 248.

to be contained in such Warrant, and, from time to time, by Warrant as aforesaid, to alter or repeal any of such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which might be payable were to be paid.

And whereas the provision fixing the maximum weight of letters to be sent by the post in the said before recited Act was repealed, and further powers were given to the Commissioners of Her Majesty's Treasury in that behalf by another Act of Parliament, passed in the 11th year of the reign of Her Majesty,\* for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas the Commissioners of Her Majesty's Treasury, in exercise of the powers vested in them and by the said two before-mentioned Acts of Parliament, or either of them, and of all other powers enabling them in that behalf, did, by two certain Warrants in writing respectively, under the hands of two of them the said Commissioners (by the authority of the statute in that case made and provided) bearing date respectively the 28th day of March, 1860,† and the 18th day of May, 1861,‡ fix certain rates of postage and make certain regulations under and subject to which packets consisting of books, publications, or works of literature or art, whether British, *Colonial*, or *Foreign*, and packets consisting of printed votes and proceedings of the Imperial Parliament posted in the United Kingdom addressed to *Gothenburgh*, or to any of the several places within the Kingdom of *Sweden*, mentioned and set forth in the schedule to the now reciting Warrant of the 18th day of May, 1861, annexed, or posted at *Gothenburgh*, or at any of the places in the said schedule to the said now reciting Warrant of the 18th day of May, 1861, annexed, respectively mentioned, within the Kingdom of *Sweden*, addressed to the United Kingdom, might be transmitted by the post between the United Kingdom and *Gothenburgh* (the sea conveyance being by British or *Foreign* packet boat direct).

And whereas it is expedient to extend the transmission by the post between the United Kingdom and *Gothenburgh* of packets consisting of books, publications, or works of literature or art, and other printed papers, to other places within the Kingdom of *Sweden* not included in either of the said two hereinbefore recited Warrants, and for that purpose to repeal the said two last-mentioned Warrants, and to make such other rates and regulations in lieu thereof as are hereinafter mentioned and contained.

\* See Vol. 8. Page 247.

† See Vol. 11. Page 519.

‡ See Vol. 11. Page 523.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers vested in us in and by the said two before-mentioned Acts, or either of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners (by the authority of the statute in that case made and provided) order, direct, and declare as follows:

1. The said two hereinbefore recited Warrants, bearing date respectively the 28th day of March, 1860, and the 18th day of May, 1861, and every clause, matter, and thing therein contained shall be and the same are hereby respectively repealed.

2. All packets consisting of books, publications, or works of literature or art, whether British, *Colonial*, or *Foreign*, and all packets consisting of printed votes and proceedings of the Imperial Parliament posted in the United Kingdom addressed to *Gothenburgh*, or to any of the several places within the Kingdom of *Sweden*, mentioned and set forth in the schedule to this Warrant annexed, or posted at *Gothenburgh*, or at any of the several places within the Kingdom of *Sweden*, mentioned and set forth in the schedule to this Warrant annexed, addressed to the United Kingdom, may be transmitted by the post between the United Kingdom and *Gothenburgh* (the sea conveyance being by British or *Foreign* packet boat direct); and all such respective packets shall be transmitted between the United Kingdom and *Gothenburgh* in conformity with and under and subject to the several regulations, orders, directions, and conditions hereinafter mentioned and contained; and the single rate of postage (British and *Foreign* combined) for the transmission of such packet, from the United Kingdom to *Gothenburgh*, or from *Gothenburgh* to the United Kingdom as aforesaid, shall be the sum of 3*d.* And all such respective packets so transmitted and chargeable with postage as aforesaid, shall be subject to the several progressive and additional rates of postage hereinafter mentioned, that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid for the transmission thereof respectively as aforesaid, the uniform single rate of postage (British and *Foreign* combined) of 3*d.*;

And on every such packet exceeding 4 ounces in weight there shall be charged, taken, and paid progressive and additional rates of postage as follows, that is to say:

On every such packet, if exceeding 4 ounces in weight and not exceeding 8 ounces in weight, 2 rates of postage;

And on every such packet, if exceeding 8 ounces and not exceeding 1 pound in weight, 4 rates of postage;

And on every such packet, if exceeding 1 pound and not exceeding 1½ pound in weight, 6 rates of postage;

And for every additional ½ of a pound in weight of any such



packet above the weight of  $1\frac{1}{2}$  pound, there shall be charged, taken, and paid 2 additional rates of postage, and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight. And each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight;

No such packet which in length or breadth or depth shall exceed the dimensions of 2 feet shall be forwarded by the post under the provisions of this Warrant;

The terms "books, publications, or works of literature or art," in this Warrant used, shall, for the purposes of this Warrant, mean and comprise all such articles as in their general character are either literary or consist of printed, written, engraved, or lithographed matter (although not strictly literary), including books (whether printed, written, or plain), publications or compilations (whether in print or in manuscript), almanacks, printed or lithographed letters, and such artistic productions as prints, maps (whether on paper or canvas, or cloth, and whether printed or written), and photographs, when not on glass or in frames containing glass, and any description of paper, parchment, or vellum (whether printed, lithographed, written upon, or plain, or any mixture of the four), together with any binding, mounting, or covering of, or upon, or belonging to, any such article or production, or any portion thereof, or of or belonging to any paper, parchment, or vellum, and including also any cases or rollers of prints or maps, book markers (whether of paper or otherwise), pencils, pens, or other things usually appertaining to any such article or production, paper, parchment, or vellum, or necessary for its safe transmission, which shall be sent in the same packet with any such article or production to which they or it shall belong. And all letters, notices, and other communications, whether upon paper, parchment, or vellum, partly printed or partly lithographed, and partly written, which if wholly written would not be considered letters or communications in the nature of letters: Provided nevertheless that nothing herein contained shall extend to authorize the sending by the post under the provisions of this Warrant of any letter, notice, or other communication (whether upon paper, parchment, or vellum), partly printed or partly lithographed, and partly written, which, if wholly written, would be considered a letter or a communication in the nature of a letter; nor of any patterns or books of patterns, or papers of patterns of any article or thing whatsoever, unless such patterns shall consist merely of paper; nor of any packet consisting of or containing any photographs, drawings, prints, or other contents, which may be obviously of an obscene character;

Every packet transmitted by the post under the authority of this Warrant shall be sent open at the end or sides, and either without a cover or in a cover or envelope open at the ends or sides;

No packet transmitted by the post, under the authority of this Warrant, shall contain any written letter, either closed or open, or any written communication in the nature of a letter, either closed or open (whether such letter or communication be addressed to, or intended for the person to whom the packet shall be directed, or any other person), nor any enclosure sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in or with any such packet, nor shall there be any written letter or written communication in the nature of a letter in or upon any such packet, or on the cover or envelope thereof;

Every packet transmitted by the post under the authority of this Warrant and posted in the United Kingdom shall be put into the Post Office at such hours in the day, and under all such regulations as the Postmaster-General may appoint;

Upon every packet transmitted by the post, under the authority of this Warrant, which shall be posted in the United Kingdom, the postage thereof shall be paid at the time of the same being posted.

3. Every letter, notice, or other communication (whether upon paper, parchment, or vellum) partly printed, or partly lithographed, and partly written, which, if wholly written, would be considered a letter or a communication in the nature of a letter, sent by the post, shall be deemed and considered to be a letter, and shall be chargeable with postage as a letter.

4. If any question shall arise whether any such letter, notice, or other communication as last hereinbefore mentioned, is entitled to the privilege of a printed paper, so far as respects the transmission thereof by the post, or of being sent by the post under the authority of this Warrant, the same shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final.

5. If any packet sent or tendered, or delivered, in order to be sent by the post under the authority of this Warrant, shall in length or breadth, or depth, exceed the dimensions of 2 feet, or if any such packet, or the cover or envelope thereof, shall not be open at the ends or sides, or if any such packet shall be sent otherwise than in conformity with the terms, conditions, and regulations hereinbefore contained, every such packet shall and may be detained and opened, and, at the option of the Postmaster-General, shall be either returned, or given up to the sender thereof, and every such packet on being so returned or given up, shall, at the option of the Post-

master-General, be either free of postage, or be charged with any rate of postage he may think fit, not exceeding the postage to which it would have been liable as a letter.

6. If any packet sent or tendered, or delivered, in order to be sent by the post under the authority of this Warrant from the United Kingdom to *Gothenburgh* (any such packet posted in London, and sent from any department, or office, in or connected with the public service of Her Majesty, which shall keep a postage account with the General Post Office in London, and the postage thereof being charged in such account only excepted), shall be posted in the United Kingdom without any postage being paid thereon, or with a postage paid thereon less in amount than the rate of postage to which such packet shall be liable under and by virtue of the regulations hereinbefore contained, every such packet shall be detained and opened, and, at the option of the Postmaster-General, shall be dealt with and chargeable in like manner as is hereinbefore directed with respect to any packet not open at the ends or sides, or which may exceed in length, or breadth, or depth the dimensions of 2 feet.

7. All packets transmitted by the post under the provisions of this Warrant (other than packets posted in or addressed to *Gothenburgh*), shall be subject and liable, in addition to the postage imposed by this Warrant, to any other rate or duty of foreign postage or payment which may be imposed thereupon for the transmission thereof between *Gothenburgh* and any other place within the Kingdom of *Sweden* to or from which the same shall or may be sent or conveyed.

8. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty.

9. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed or altered, or any of the orders, directions, regulations, or conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations or conditions in lieu thereof, and from time to time may appoint at what time the rates which may be payable are to be paid.

10. This Warrant shall come into operation on the 1st day of April, 1865.

*The Schedule to which the above Warrant refers.*

Alfvesta.	Arboga.	Avesta.	Ekolsund.
Alingsås.	Arvika.	Boras.	Eksjö.
Anderslöv.	Askersund.	Cimbrishamn.	Elmhutt.

Engelholm.	Karlskrona.	Norberg.	Uddevalla.
Enköping.	Karlstad.	Norrköping.	Ulricehamn.
Eskilstuna.	Katrineholm.	Norrtelje.	Upsala.
Falkenberg.	Kisa.	Nyköping.	Wadstena.
Falköping.	Kristianstad.	Nassjö.	Warberg.
Falun.	Kristinehamn.	Oskarshamn.	Wenersborg.
Filipstad.	Kungälf.	Ronneby.	Wernamo.
Finnerödja.	Kungsbacka.	Rada.	Westervik.
Gamleby.	Köping.	Sala.	Westeras.
Gefle.	Laholm.	Skara.	Wexio.
Gislaved.	Landskrona.	Skeneinge.	Wimmerby.
Gnesta.	Lidköping.	Shöfde.	Wingaker.
Grenna.	Lilla Edet.	Sollebrunn.	Wisby.
Grislehamn.	Linköping.	Sparreholm.	Wretstorp.
Halmstad.	Ljungby.	Staby.	Wrigstad.
Halsberg.	Lund.	Stockholm.	Wargarda.
Hedemora.	Malmköping.	Strengnas.	Ystad.
Helsingborg.	Malmo.	Strömsholm.	Aby.
Herrljunga.	Mariefred.	Sundsvall.	Amal.
Hessleholm.	Mariestad.	Sunne.	Atrop.
Hjo.	Markaryd.	Södertelje.	Atvidaberg.
Hörby.	Moholm.	Sölvesborg.	Odeshög.
Höör.	Motala.	Tierp.	Okne.
Jönköping.	Malilla.	Torp.	Orebrö.
Kalmar.	Mönsterås.	Torshälla.	Ostersund.
Karlshamn.	Nora.	Töreboda.	.

Whitehall Treasury Chambers, the 20th day of January, 1865.

E. H. KNATCHBULL-HUGESSEN.  
LUKE WHITE.

**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Letters transmitted to Denmark, via Belgium and Germany, or to or from Sweden and Norway, via Denmark; and on Letters between Denmark, Sweden, or Norway, and British Colonies and Foreign Countries, via the United Kingdom; and on Newspapers and Books, &c., to Denmark, Sweden, or Norway, or between Denmark, Sweden, or Norway and British Colonies and Foreign Countries, and also on Patterns or Samples of Merchandize, of no intrinsic value, from the United Kingdom to Denmark.\** October 23, 1865.

WHEREAS by an Act of Parliament, made and passed in the session of Parliament holden in the 3rd and 4th years of the

\* Repealed in part, by Warrants dated March 17, 1866, and May 21, 1866.



reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant; and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury, by another Act made and passed in the session of Parliament holden in the 10th and 11th years of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury, by another Act of Parliament made and passed in the 18th year of the reign of Her Majesty, chapter 27,‡ for amending the laws relating to the stamp duties on newspapers, and for providing for the transmission by post of printed periodical publications.

And whereas a Convention hath been lately made and concluded between the General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of the Kingdom of Denmark, for the purpose of regulating the communications by post between the United Kingdom and the Kingdom of Denmark;§ and it is expedient, for the better carrying out of the same, that certain regulations should be made in the manner hereinafter mentioned and contained.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts of Parliament respectively, and all and every or some or one of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners (by the authority of the statute in that case made and provided), order, declare, and direct as follows; that is to say:

1. On every letter, not exceeding  $\frac{1}{2}$  of an ounce in weight, posted in the United Kingdom, addressed to *Denmark*, and transmitted by the post from any part of the United Kingdom to any place in *Denmark*, the said respective letters being con-

\* See Vol. 5. Page 248.

† See Vol. 10. Page 320.

‡ See Vol. 8. Page 247.

§ See Page 396.

veyed in a closed mail, viâ *Belgium* and *Germany*, there shall be charged and taken and paid an uniform rate of postage (British and *Foreign* combined) of 4*d.*, if such respective letters be prepaid, and if such respective letters be not prepaid, an uniform rate of postage (British and *Foreign* combined) of 6*d.*

2. On every letter, not exceeding  $\frac{1}{2}$  of an ounce in weight, posted in the United Kingdom, addressed to *Sweden* or *Norway*, or posted in *Sweden* or *Norway*, addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom, and any place in *Sweden* or *Norway*, the said respective letters being conveyed viâ *Denmark*, *Belgium*, and *Germany*, there shall be charged, and taken, and paid, an uniform rate of British postage of 1*d.*, if such respective letters be prepaid, and if such respective letters be not prepaid an uniform rate of British postage of 2*d.*

3. On every letter, not exceeding  $\frac{1}{2}$  of an ounce in weight, posted in *Denmark*, *Sweden*, or *Norway*, addressed to any of Her Majesty's Colonies, or any *Foreign* country, or posted in any of Her Majesty's Colonies, or any *Foreign* country, addressed to *Denmark*, *Sweden*, or *Norway*, transmitted by the post between *Denmark*, *Sweden*, or *Norway*, and any of Her Majesty's Colonies, or any *Foreign* country, viâ *Belgium* and *Germany*, through the United Kingdom, otherwise than in closed mails, there shall be charged, and taken, and paid, for such transmission thereof through the United Kingdom, an uniform rate of British postage of 1*d.*, if such respective letters be prepaid, and if such respective letters be not prepaid an uniform rate of British postage of 2*d.* And also for the conveyance of every such letter between the port, in the United Kingdom, of the departure or arrival of the packet or vessel (not being a packet boat) conveying the same, and the *Colony* or *Foreign* country to or from which the same shall be forwarded, such a further or additional rate of British postage as shall, from time to time, be charged and payable for British postage on letters not exceeding  $\frac{1}{2}$  an ounce in weight, posted or delivered at the port, in the United Kingdom, of the departure or arrival of the packet or vessel (not being a packet boat) conveying the same, and transmitted direct between such port and any such *Colony* or *Foreign* country. Provided that in all cases where such additional rate includes both inland and sea services there shall be deducted therefrom the sum of 1*d.*, in respect of the inland conveyance under this clause of every such letter sent through the United Kingdom.

4. On every letter so transmitted as is hereinbefore in this Warrant respectively mentioned, if exceeding  $\frac{1}{2}$  of an ounce in weight, there shall be charged, taken, and paid, the several further, and additional and progressive rates of postage, according to the scale of weight and number of rates hereinafter mentioned; that is to say:

On every such letter so transmitted, exceeding  $\frac{1}{2}$  of an ounce in weight and not exceeding 1 ounce in weight, 2 rates of postage :

On every such letter so transmitted, exceeding 1 ounce and not exceeding 1 ounce and the  $\frac{1}{2}$  of another ounce in weight, 3 rates of postage ;

On every such letter so transmitted, exceeding 1 ounce and the half of another ounce and not exceeding 2 ounces in weight, 4 rates of postage ;

On every such letter so transmitted, exceeding 2 ounces and not exceeding 2 ounces and the  $\frac{1}{2}$  of another ounce in weight, 5 rates of postage ;

On every such letter so transmitted, exceeding 2 ounces and the  $\frac{1}{2}$  of another ounce and not exceeding 3 ounces in weight, 6 rates of postage ;

And for every  $\frac{1}{2}$  of an ounce in weight of any such letter above the weight of 3 ounces there shall be charged, taken, and paid, one additional rate of postage, and in charging any additional rate of postage every fractional part of such additional  $\frac{1}{2}$  of an ounce shall be charged as an additional  $\frac{1}{2}$  of an ounce in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant if not exceeding  $\frac{1}{2}$  of an ounce in weight.

5. If any letter transmitted by the post under the authority of this Warrant shall be posted in the United Kingdom addressed to *Denmark*, and the postage stamp or stamps affixed thereto shall represent a less amount than the rate of postage to which the same would be liable under or by virtue of this Warrant, every such letter shall be charged with postage as an unpaid letter, and the amount of such postage paid thereon, or stamp or stamps affixed thereto, shall be allowed and deducted in charging such postage thereon.

6. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions or privileges granted by the said first hereinbefore recited Act, or to annul, prejudice, or affect any of the privileges which seamen and soldiers employed in Her Majesty's service are now by law entitled to, of sending and receiving by the post letters not exceeding  $\frac{1}{2}$  of an ounce in weight, subject to the regulations and restrictions made and in force for the time being in respect of the same.

7. Registered letters may be transmitted by the post under the authority of this Warrant upon the payment of such additional charges or rates of postage, or otherwise as the Postmaster-General may from time to time direct or appoint in that behalf, provided that all rates of postage and additional charges, or rates from time to time payable thereupon, shall be



prepaid, and that no payment shall be made thereupon on the delivery of any such registered letters.

8. On every packet consisting of a printed British newspaper, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to *Denmark, Sweden, or Norway*, and transmitted by the post from any part of the United Kingdom to any place in *Denmark, Sweden, or Norway*, the said respective packets being conveyed viâ *Belgium and Germany*, there shall be charged, taken, and paid, an uniform rate of postage (British and *Foreign* combined) of 3*d.*; and every such packet shall be transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto.

9. All packets consisting of printed papers other than British newspapers, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to *Denmark, Sweden, or Norway*, and transmitted by the post from any part of the United Kingdom to any place in *Denmark, Sweden, or Norway*, the said respective packets being conveyed in a closed mail viâ *Belgium and Germany*, may be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto, and there shall be charged, taken, and paid, for the transmission of every such packet, an uniform rate of postage (British and *Foreign* combined) of 4 pence.

10. All packets transmitted respectively under the authority of the 8th and 9th clauses of this Warrant hereinbefore respectively contained, shall, if exceeding the weight of 4 ounces respectively, be subject to the several further and additional and progressive rates of postage hereinafter mentioned; that is to say:

On every such packet so transmitted, if exceeding 4 ounces in weight, and not exceeding  $\frac{1}{2}$  of a pound in weight, 2 rates of postage;

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound, and not exceeding 1 pound in weight, 4 rates of postage;

And on every such packet, if exceeding 1 pound, and not exceeding 1 pound and  $\frac{1}{2}$  of another pound in weight, 6 rates of postage;

And on every such packet, if exceeding 1 pound and  $\frac{1}{2}$  of another pound, and not exceeding 2 pounds in weight, 8 rates of postage;

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet, above the weight of 2 pounds, there shall be charged, taken, and paid 2 additional rates of postage. And in charging any additional rate of postage, every fractional part of such additional  $\frac{1}{2}$  of a pound shall be charged as an additional  $\frac{1}{2}$  of a pound in weight; and each progressive and



additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

11. As to all packets consisting of printed British newspapers, or of other printed papers hereinbefore in the 8th, 9th, and 10th clauses of this Warrant authorized to be sent by the post, the postage thereof shall in every case be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the value or amount of the postage duty payable thereupon under or by virtue of this Warrant (unless any such packet be sent from any department or office in or connected with the public service of Her Majesty which shall have a postage account with the General Post Office in London, in which case the same shall be forwarded post-paid, and the postage thereof shall be charged in such postage account); and if any such packet shall be posted without any postage having been paid thereon, every such packet shall and may be detained and opened, and shall be returned or given up to the sender thereof, and on being so returned or given up, shall, at the option of the Postmaster-General, be either free of postage or be charged with any rate of postage he may think fit, not exceeding the postage to which it would have been liable as an unpaid letter. But if any such packet shall be posted with a postage paid thereon which shall be less in amount than the rate of postage to which such packet would be liable under or by virtue of this Warrant, every such last-mentioned packet shall be forwarded charged with double the amount of the deficient postage.

12. All packets consisting of printed newspapers, or other printed papers, posted in *Denmark*, addressed to the United Kingdom, and transmitted by the post from any place in *Denmark* to any part of the United Kingdom viâ *Belgium* and *Germany*, shall and may be so transmitted free from British postage, subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto.

13. All packets consisting of printed newspapers, or of printed papers other than printed newspapers, not exceeding 2 ounces in weight, posted in *Denmark*, *Sweden*, or *Norway*, addressed to any of Her Majesty's Colonies, or posted in any of Her Majesty's Colonies, addressed to *Denmark*, *Sweden*, or *Norway*, and transmitted by the post between *Denmark*, *Sweden*, or *Norway*, and any of Her Majesty's Colonies viâ *Belgium* and *Germany* through the United Kingdom, may be so trans-

mitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto, and there shall be charged, taken, and paid for the transmission of every such packet an uniform rate of postage of 3*d*.

14. All packets transmitted by the post under the 13th clause of this Warrant shall, if exceeding the weight of 2 ounces respectively, be subject to the several further and additional and progressive rates of postage hereinafter mentioned; that is to say:

On every such packet so transmitted, if exceeding 2 ounces in weight, and not exceeding 4 ounces in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such packet, if exceeding 4 ounces, and not exceeding  $\frac{1}{2}$  of a pound in weight, 4 rates of postage;

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound, and not exceeding 1 pound in weight, 8 rates of postage;

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet, above the weight of 1 pound, there shall be charged, taken, and paid 4 additional rates of postage, and in charging any additional rate of postage, every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 2 ounces in weight.

15. For the purposes of this Warrant every printed newspaper transmitted by the post under the 8th clause of this Warrant, shall be deemed and considered a packet, and shall be charged and chargeable with a separate and distinct single rate or separate and distinct progressive and additional rates of postage, according to the weight thereof as hereinbefore respectively mentioned, notwithstanding two or more newspapers shall be enclosed and transmitted in one and the same cover, wrapper, envelope, or bundle, and form only one parcel or bundle of newspapers, and every printed supplement or additional sheet to any such newspaper shall, for the purpose of charging the postage under this Warrant, be deemed a distinct newspaper, unless sent in the same cover or together with the newspaper to which it is a supplement or addition.

16. Every packet consisting of a printed newspaper or of printed newspapers or other printed papers, which shall be transmitted by the post under the provisions of this Warrant, shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions following; that is to say:

Every British newspaper shall be printed and published at

intervals not exceeding 31 days between any two consecutive numbers or parts of such publication, and the same shall be registered at the General Post Office, in London, and shall be posted within 15 days from the date of its publication, and the title and date of the newspaper shall be printed at the top of every page thereof.

Every packet shall be sent open at the ends or sides, and either without a cover or in a cover or envelope open at the ends or sides, and there shall be no written letter, either closed or open, nor any written communication in the nature of a letter either closed or open (whether such letter or communication be addressed to or intended for the person to whom the packet shall be directed or any other person), nor any enclosure sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant sent in or with any such packet, nor shall there be any word or communication printed on the contents of any such packet after the publication thereof, nor any writing, figures, or marks upon any such contents or the cover thereof not authorized by this Warrant, except the name and address of the person to whom the same is sent, but the name or title of any newspaper and the name and address of the publisher, newsvendor, or agent by whom the same is sent may be printed on the cover thereof, and any packet of printed papers other than a printed newspaper may have any matter or thing printed on the cover thereof.

No packet shall be transmitted by the post under the provisions of this Warrant which shall exceed the weight of 3 pounds (Danish), or which shall exceed 2 feet in length or 1 foot in depth or width.

Every packet transmitted by the post under the provisions of this Warrant shall be put into the Post Office at such hours in the day and under all such regulations as the Postmaster-General may appoint.

17. If any packet consisting of a printed newspaper or of printed newspapers or other printed papers, transmitted by the post under the provisions of this Warrant, be sent by the post otherwise than in conformity with the conditions and regulations established by or under the 16th clause of this Warrant the same shall and may be detained and opened at any place in the United Kingdom, and at the option of the Postmaster-General shall be either returned or given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination, and any such packet on being so returned, given up, or forwarded shall be chargeable with any rates of postage the Postmaster-General may think fit, not exceeding the rates that would be chargeable on such packet as an unpaid letter.



18. The term "printed papers," when used in this Warrant, shall, for the purpose of transmission thereof by the post, under the provisions of this Warrant, mean, comprise, and include any number of separate books or other publications, prints, or maps, whether printed, engraved or lithographed, and whether on paper, parchment, or vellum, and also photographs on paper, parchment, or vellum, and all legitimate binding, mounting or covering of a book, publication, print or map, or of a portion thereof, whether such binding, mounting or covering be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise), in the case of books, and whatsoever is necessary for the safe transmission of literary or artistic matter or usually appertains thereto, and also when contained in any packet, consisting of unbound proof sheets only, any ordinary corrections in writing of such unbound proof sheets, but no packet consisting of or containing any photographs, drawings, prints or other contents which may be obviously of an obscene character, shall be transmitted by the post under the provisions of this Warrant.

19. All packets consisting of patterns or samples of merchandize of no intrinsic value, posted in the United Kingdom, addressed to *Denmark*, and transmitted by the post from any part of the United Kingdom to any place in *Denmark*, the said respective packets being conveyed in a closed mail viâ *Belgium* and *Germany*, may be so transmitted under the authority of this Warrant, in like manner and at the several rates of postage as packets consisting of printed papers may be transmitted by the post from the United Kingdom to *Denmark*, under or by virtue of this Warrant; nevertheless the packets consisting of patterns or samples of merchandize shall be so transmitted in conformity with, and under and subject to the several orders, directions, regulations, conditions, and restrictions hereinafter respectively mentioned and contained, concerning or relating to the same; that is to say:

No such packet shall be transmitted by the post under the authority of this Warrant, which shall exceed the weight of 3 pounds (Danish), or which in length shall exceed 2 feet, or in width or depth 1 foot.

There shall be no enclosure sealed or otherwise closed against inspection and examination, nor any other enclosure not authorized by this Warrant, sent in or with any such packet.

The postage of every such packet shall be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto at the time of the same being posted, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet, near the address or direction, and shall



be of the value or amount of the postage duty payable thereupon under or by virtue of this Warrant.

No such pattern or sample of merchandize shall be of any intrinsic value, and no article so transmitted shall be of a saleable nature, or such as has any mercantile value, either by reason of its quality or its quantity, or of which any use might be made otherwise than as a pattern or sample of merchandize.

There shall be no writing or printing upon any such packet or the cover thereof, or contained therein, except the address of the person for whom it is intended, the address of the sender thereof, and a manufacturer's or trade mark, and number and price, of the pattern or sample; and every such manufacturer's or trade mark, number, and price, shall be written or printed on labels attached to such patterns or samples, or to the bags or boxes containing the same, and not on loose pieces of paper or other material.

All such packets shall be sent in covers open at the ends, so as to be easy of examination; nevertheless samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in boxes or in bags of linen, paper, or other material, which shall be tied with a string or otherwise fastened in such a manner that they may be readily opened; and closed bags, if transparent, may be used for this purpose.

No article which might injure the contents of the mail bags or the persons of the officers of the Post Office shall be transmitted by the post under the authority of this Warrant; nevertheless any packet containing any razor, scissors, knife, fork, or other sharp or pointed instrument, shall and may (notwithstanding anything in a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 28th day of November, 1844,\* contained to the contrary) be transmitted by the post, under the authority of the 19th clause of this Warrant, subject to the several rates of postage and to the several orders, directions, regulations, and restrictions herein mentioned and contained relating thereto, provided that every such article or instrument so contained in any such packet shall be securely packed and guarded; and every such packet shall not only conform in every respect to the several orders, directions, regulations, and restrictions herein contained, but the same shall also furnish sufficient protection against injury to the officers of the Post Office and to the contents of the mail bags, while at the same time the patterns or samples may be easily examined.

20. If any packet of patterns or samples of merchandize sent or tendered, or delivered in order to be sent by the post, under the provisions of this Warrant, shall be posted without

\* See Vol. 7. Page 622.

any postage having been paid thereon, every such packet shall and may be detained and opened, and shall be returned or given up to the sender thereof, and on being so returned or given up, shall, at the option of the Postmaster-General, be either free of postage or be charged with any rate of postage he may think fit not exceeding the postage to which it would have been liable as an unpaid letter; but if any such packet shall be posted with a postage paid thereon which shall be less in amount than the rate of postage to which such packet would be liable under or by virtue of this Warrant, every such last-mentioned packet shall be forwarded charged with double the amount of the deficient postage.

21. No packet consisting of patterns or samples of merchandize shall be forwarded by the post under the provisions of this Warrant in respect of which the several orders, directions, regulations, restrictions, and conditions hereinbefore in the several clauses of this Warrant respectively contained relating to the same shall not be complied with in all respects, except only such packets as are in the last preceding clause mentioned and referred to.

22. In order to prevent any obstacle to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

23. In all cases in which any question shall hereafter arise whether any packet or anything contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted, within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive on all parties.

24. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said recited Act, passed in the 4th year of the reign of Her Majesty, cap. 96.

25. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, or conditions in lieu thereof, and may from time to time appoint at what time the rates which may be payable are to be paid.

26. This Warrant shall come into operation on the 1st day of November, 1865.

Whitehall Treasury Chambers, the 23rd day of October, 1865.

W. P. ADAM.

E. H. KNATCHBULL-HUGESSEN.

**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Newspapers, Books, &c., and Patterns or Samples transmitted to Sweden or Norway, viâ Belgium, Germany, and Denmark. March 17, 1866.*

WHEREAS by an Act of Parliament made and passed in the session of Parliament, holden in the 3rd and 4th years of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage payable by law on the transmission by the post of *Foreign or Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof and a scale of weight to be contained in such Warrant; and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act made and passed in the session of Parliament, holden in the 10th and 11th years of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act of Parliament made and passed in the 18th year of the reign of Her Majesty, chapter 27,‡ for amending the laws relating to the stamp duties on newspapers, and for providing for the transmission by post of printed periodical publications.

And whereas it is expedient to alter the rates of postage now payable on certain packets transmitted by the post from the United Kingdom to *Sweden and Norway*, and to fix certain other rates of postage in lieu thereof, and also to fix certain rates of postage upon certain other packets, and to make certain regulations in relation thereto, in the manner hereinafter mentioned and contained.

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

‡ See Vol. 10. Page 320.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts of Parliament respectively, and all and every, or some or one of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners (by the authority of the statute in that case made and provided), order, declare, and direct as follows; that is to say:

1. On every packet consisting of a printed British newspaper, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to *Sweden* or *Norway*, and transmitted by the post from any part of the United Kingdom to any place in *Sweden* or *Norway*, the said respective packets being conveyed viâ *Belgium*, *Germany*, and *Denmark*, there shall be charged, taken, and paid in respect of every such packet addressed to *Sweden* an uniform rate of postage (British and *Foreign* combined) of 4*d.*, and, in respect of every such packet addressed to *Norway*, an uniform rate of postage (British and *Foreign* combined) of 5*d.*, and every such respective packet shall be transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions hereinafter mentioned and contained relating thereto.

2. All packets consisting of printed papers other than British newspapers, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to *Sweden* or *Norway*, and transmitted by the post from any part of the United Kingdom to any place in *Sweden* or *Norway*, the said respective packets being conveyed viâ *Belgium*, *Germany*, and *Denmark*, may be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions herein-after mentioned and contained relating thereto, and there shall be charged, taken, and paid for the transmission of every such packet addressed to *Sweden* an uniform rate of postage (British and *Foreign* combined) of 5*d.*, and for the transmission of every such packet addressed to *Norway* an uniform rate of postage (British and *Foreign* combined) of 6*d.*

3. All packets transmitted respectively under the authority of the 1st and 2nd clauses of this Warrant, hereinbefore respectively contained, shall, if exceeding the weight of 4 ounces respectively, be subject to the several further and additional and progressive rates of postage hereinafter mentioned, that is to say:

On every such packet so transmitted, if exceeding 4 ounces in weight and not exceeding  $\frac{1}{2}$  of a pound in weight 2 rates of postage;

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound and not exceeding 1 pound in weight, 4 rates of postage;

And on every such packet, if exceeding 1 pound and not



exceeding 1 pound and  $\frac{1}{2}$  of another pound in weight, 6 rates of postage;

And on every such packet, if exceeding 1 pound and  $\frac{1}{2}$  of another pound, and not exceeding 2 pounds in weight, 8 rates of postage;

And on every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of 2 pounds, there shall be charged, taken, and paid 2 additional rates of postage, and in charging any additional rate of postage every fractional part of such additional  $\frac{1}{2}$  of a pound shall be charged as an additional  $\frac{1}{2}$  of a pound in weight; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 4 ounces in weight.

4. As to all packets consisting of printed British newspapers, or of printed papers other than British newspapers, hereinbefore in the 1st and 2nd clauses of this Warrant authorized to be sent by the post, the postage thereof shall, in every case, be paid at the time of the same being posted, not in money but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall, in every case, be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereupon under or by virtue of this Warrant (unless any such packet be sent from any department or office in or connected with the public service of Her Majesty, which shall have a postage account with the General Post Office in London, in which case the same shall be forwarded post-paid and the postage thereof shall be charged in such postage account); and if any such packet shall be posted without any postage having been paid thereon every such packet shall and may be detained and opened, and shall be returned or given up to the sender thereof, and on being so returned or given up shall, at the option of the Postmaster-General, be either free of postage or be charged with any rate of postage he may think fit not exceeding the postage to which it would have been liable as an unpaid letter. But if any such packet shall be posted with a postage paid thereon which shall be less in amount than the rate of postage to which such packet would be liable under or by virtue of this Warrant every such last-mentioned packet shall be forwarded charged with double the amount of the deficient postage.

5. For the purposes of this Warrant every printed newspaper transmitted by the post under the 1st clause of this Warrant shall be deemed and considered a packet, and shall be charged and chargeable with a separate and distinct single rate, or separate and distinct progressive and additional rates of postage, according to the weight thereof, as hereinbefore re-

spectively mentioned; notwithstanding two or more newspapers shall be enclosed and transmitted in one and the same cover, wrapper, envelope, or bundle, and form only one parcel or bundle of newspapers, and every printed supplement or additional sheet to any such newspaper shall, for the purpose of charging the postage under this Warrant, be deemed a distinct newspaper, unless sent in the same cover or together with the newspaper to which it is a supplement or addition.

6. Every packet consisting of a printed British newspaper, or of printed papers other than British newspapers, which shall be transmitted by the post under the provisions of this Warrant, shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations, and conditions following, that is to say:

Every British newspaper shall be printed and published at intervals not exceeding 31 days between any two consecutive numbers or parts of such publication, and the same shall be registered at the General Post Office in London, and shall be posted within 15 days from the date of its publication, and the title and date of the newspaper shall be printed at the top of every page thereof.

Every packet shall be sent open at the ends or sides, and either without a cover or in a cover or envelope open at the ends or sides, and there shall be no written letter, either closed or open, nor any written communication in the nature of a letter, either closed or open (whether such letter or communication be addressed to or intended for the person to whom the packet shall be directed or any other person), nor any enclosure sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in or with any such packet, nor shall there be any word or communication printed on the contents of any such packet after the publication thereof, nor any writing, figures, or marks, upon any such contents, or the cover thereof, not authorized by this Warrant, except the name and address of the person to whom the same is sent; but the name or title of any newspaper, and the name and address of the publisher, newsvendor, or agent, by whom the same is sent, may be printed on the cover thereof, and any packet of printed papers other than a printed newspaper may have any matter or thing printed on the cover thereof.

No packet shall be transmitted by the post under the provisions of this Warrant which shall exceed the weight of 3 pounds (Danish), or which shall exceed 2 feet in length or 1 foot in depth or width.

Every packet transmitted by the post under the provisions of this Warrant shall be put into the Post Office at such hours in the day and under all such regulations as the Postmaster-General may appoint.

7. If any packet, consisting of a printed British newspaper, or of printed papers other than British newspapers, transmitted by the post under the provisions of this Warrant, be sent by the post otherwise than in conformity with the conditions and regulations established by or under the 6th clause of this Warrant, the same shall and may be detained and opened at any place in the United Kingdom; and, at the option of the Postmaster-General, shall be either returned or given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such packet, on being so returned, given up, or forwarded, shall be chargeable with any rates of postage the Postmaster-General may think fit, not exceeding the rates that would be chargeable on such packet as an unpaid letter.

8. The term "printed papers" used in this Warrant shall, for the purpose of transmission thereof by the post under the provisions of this Warrant, mean, comprise, and include any number of separate books or other publications, prints, or maps, whether printed, engraved, or lithographed, and whether on paper, parchment, or vellum, and also photographs on paper, parchment, or vellum, and all legitimate binding, mounting, or covering of a book, publication, print or map, or of a portion thereof, whether such binding, mounting or covering be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise) in the case of books, and whatsoever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto; but no packet consisting of or containing any photographs, drawings, prints, or other contents which may be obviously of an obscene character, shall be transmitted by the post under the provisions of this Warrant.

9. All packets consisting of patterns or samples of merchandize, of no intrinsic value, posted in the United Kingdom, addressed to *Sweden* or *Norway*, and transmitted by the post from any part of the United Kingdom to any place in *Sweden* or *Norway*, the said respective packets being conveyed *viâ Belgium, Germany, and Denmark*, may be so transmitted under the authority of this Warrant, and at the several rates of postage respectively as are payable in respect of packets consisting of printed papers other than British newspapers transmitted by the post from the United Kingdom to *Sweden* and *Norway* respectively, under or by virtue of this Warrant; nevertheless, the packets consisting of patterns or samples of merchandize shall be so transmitted in conformity with and under and subject to the several orders, directions, regulations, conditions, and restrictions hereinafter respectively mentioned and contained concerning or relating to the same; that is to say:



No such packet shall be transmitted by the post, under the authority of this Warrant, which shall exceed the weight of 3 pounds (Danish), or which in length shall exceed 2 feet, or in width or depth 1 foot.

There shall be no enclosure sealed or otherwise closed against inspection and examination, nor any other enclosure not authorized by this Warrant, sent in or with any such packet.

The postage of every such packet shall be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto at the time of the same being posted, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the value or amount of the postage duty payable thereupon under or by virtue of this Warrant.

No such pattern or sample of merchandize shall be of any intrinsic value; and no article so transmitted shall be of a saleable nature, or such as has any mercantile value, either by reason of its quality or its quantity, or of which any use might be made otherwise than as a pattern or sample of merchandize.

There shall be no writing or printing upon any such packet, or the cover thereof, or contained therein, except the address of the person for whom it is intended, the address of the sender thereof, and a manufacturer's or trade mark, and number and price of the pattern or sample, and every such manufacturer's or trade mark, number, and price shall be written or printed on labels attached to such patterns or samples, or to the bags or boxes containing the same, and not on loose pieces of paper or other material.

All such packets shall be sent in covers open at the ends, so as to be easy of examination; nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in boxes or in bags of linen, paper, or other material which shall be tied with a string, or otherwise fastened in such a manner that they may be readily opened; and closed bags, if transparent, may be used for this purpose.

No article which might injure the contents of the mail bags or the persons of the officers of the Post Office shall be transmitted by the post under the authority of this Warrant: nevertheless, any packet containing any razor, scissors, knife, fork, or other sharp or pointed instrument, shall and may (notwithstanding anything in a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 28th day of November, 1844, contained to the contrary), be transmitted by the post under the authority of the 9th clause of this Warrant, subject to the several rates of postage, and to the several orders, directions, regulations, and restrictions herein men-



tioned and contained relating thereto, provided that every such article or instrument so contained in any such packet shall be securely packed and guarded; and every such packet shall not only conform in every respect to the several orders, directions, regulations, and restrictions herein contained, but the same shall also furnish sufficient protection against injury to the officers of the Post Office and to the contents of the mail bags, while at the same time the patterns or samples may be easily examined.

10. If any packet of patterns, or samples of merchandize, sent or tendered, or delivered in order to be sent, by the post under the provisions of this Warrant, shall be posted without any postage having been paid thereon, every such packet shall and may be detained and opened, and shall be returned or given up to the sender thereof, and on being so returned or given up, shall, at the option of the Postmaster-General, be either free of postage or be charged with any rate of postage he may think fit, not exceeding the postage to which it would have been liable as an unpaid letter; but if any such packet shall be posted with a postage paid thereon, which shall be less in amount than the rate of postage to which such packet would be liable under or by virtue of this Warrant, every such last-mentioned packet shall be forwarded charged with double the amount of the deficient postage.

11. No packet consisting of patterns or samples of merchandize shall be forwarded by the post under the provisions of this Warrant, in respect of which the several orders, directions, regulations, restrictions, and conditions hereinbefore respectively contained, relating to the same, shall not be complied with in all respects, except only such packets as are in the last preceding clause mentioned and referred to.

12. In order to prevent any obstacle to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, or (at his option) until the dispatch of the mail next after that by which the same ought, in due course of the post, to be forwarded by him.

13. In all cases in which any question shall hereafter arise whether any packet, or anything contained therein, transmitted under or by virtue of this Warrant is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive on all parties.

14. The several terms and expressions used in this Warrant

shall be construed to have the like meaning in all respects as they would have had if inserted in the said recited Act passed in the 4th year of the reign of Her Majesty, chapter 96.

15. The several rates of postage chargeable under or by virtue of a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 23rd day of October, 1865,\* on packets consisting of printed British newspapers, and on packets consisting of printed papers other than British newspapers, posted in the United Kingdom, addressed to *Sweden* or *Norway*, and transmitted by the post from any part of the United Kingdom to any place in *Sweden* or *Norway* as therein mentioned, together with the several orders, directions, regulations, and conditions therein contained, so far as they relate to or affect such packets respectively, are hereby repealed, revoked, and annulled.

16. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands duly made, at any time hereafter alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, or conditions in lieu thereof, and may from time to time appoint at what time the rates which may be payable are to be paid.

17. This Warrant shall come into operation on the 1st day of April, 1866.

Whitehall Treasury Chambers, March 17, 1866.

W. P. ADAM.

E. H. KNATCHBULL-HUGESSEN.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters, transmitted between the United Kingdom and Norway, by private Ship.* April 26, 1866.

[Repealed by Warrant, dated June 5, 1868.]

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters transmitted to or from Sweden, or between Sweden and any British Colony or Foreign Country, viâ the United Kingdom.* May 21, 1866.

WHEREAS by an Act of Parliament made and passed in the session of Parliament holden in the 3rd and 4th years of the reign of Her Majesty, chapter 96,† for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage or

\* See Page 806.

† See Vol. 5. Page 248.

inland postage payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid; and it is provided that the power thereby given should extend to any increase or reduction or remission of postage:

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act made and passed in the session of Parliament holden in the 10th and 11th years of the reign of Her Majesty, chapter 85,\* for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office: \*

And whereas it is expedient to reduce the rates of postage now payable upon certain letters conveyed between the United Kingdom and *Sweden*, and also to make certain regulations in the manner hereinafter mentioned and contained:

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the power or authority in us for such purpose vested in and by the said recited Act, and of all other powers enabling us in this behalf, do, by this Warrant (under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided), order, direct, and declare as follows:

1. On every letter not exceeding  $\frac{1}{2}$  of an ounce in weight posted in the United Kingdom addressed to *Sweden*, or posted in *Sweden* addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom and any place in *Sweden*, the said respective letters being conveyed either direct by *Swedish* mail packet-boat or *viâ Denmark, Belgium, and Germany*, there shall be charged, taken, and paid an uniform rate of postage (British and *Foreign* combined) of 6d., if such respective letters be prepaid, and if such respective letters be not prepaid, an uniform rate of postage (British and *Foreign* combined) of 8d.

2. On every letter not exceeding  $\frac{1}{2}$  of an ounce in weight posted in, or addressed to, any part of *Sweden*, transmitted by the post between *Sweden* and any of Her Majesty's colonies, or any foreign country, through the United Kingdom, conveyed between *Sweden* and the United Kingdom, either direct by *Swedish* mail packet-boat or *viâ Denmark, Belgium, and Germany* (the conveyance through the United Kingdom in connection

\* See Vol. 8. Page 247.

with such last-mentioned route being otherwise than in closed mails), there shall be charged, taken, and paid for such conveyance thereof respectively, between *Sweden* and any part of the United Kingdom, an uniform rate of postage (British and *Foreign* combined) of 6*d.*, if such respective letters be prepaid, and if such respective letters be not prepaid, an uniform rate of postage (British and *Foreign* combined) of 8*d.*; and also for the conveyance of every such letter between the port in the United Kingdom of the departure or arrival of the packet-boat or vessel (not being a packet-boat) conveying the same, and the British colony or foreign country to or from which the same shall be forwarded, such a further or additional rate of postage as shall from time to time be chargeable and payable for British postage on letters not exceeding  $\frac{1}{2}$  an ounce in weight, posted or delivered at the port in the United Kingdom, of the departure or arrival of the packet-boat or vessel (not being a packet-boat) conveying the same and transmitted direct between such port and any such colony or foreign country: provided that in all cases where such additional rate includes both inland and sea services there shall be deducted therefrom the sum of 1*d.* in respect of the inland conveyance under this clause of every such letter sent through the United Kingdom.

3. On every letter transmitted as is hereinbefore in this Warrant respectively mentioned, exceeding  $\frac{1}{2}$  of an ounce in weight, there shall be charged, taken, and paid progressive and additional rates of postage according to the scale of weight and number of rates following, that is to say:

On every letter so transmitted exceeding  $\frac{1}{2}$  of an ounce in weight, and not exceeding 1 ounce in weight, 2 rates of postage;

On every letter so transmitted exceeding 1 ounce, and not exceeding  $1\frac{1}{2}$  ounce in weight, 3 rates of postage;

On every letter so transmitted exceeding  $1\frac{1}{2}$  ounce, and not exceeding 2 ounces in weight, 4 rates of postage;

On every letter so transmitted exceeding 2 ounces, and not exceeding  $2\frac{1}{2}$  ounces in weight, 5 rates of postage;

And on every letter so transmitted exceeding  $2\frac{1}{2}$  ounces, and not exceeding 3 ounces in weight, 6 rates of postage;

And for every  $\frac{1}{2}$  of an ounce in weight of any such letter above the weight of 3 ounces, there shall be charged and taken 1 additional rate of postage, and in charging any additional rate of postage every fractional part of such additional  $\frac{1}{2}$  of an ounce shall be charged as an additional  $\frac{1}{2}$  of an ounce in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant if not exceeding  $\frac{1}{2}$  of an ounce in weight.

4. If any letter transmitted by the post under the authority



of the first clause of this Warrant, shall be posted and the postage stamp or stamps affixed thereto shall represent a less amount than the rate of postage to which the same would be liable under or by virtue of this Warrant, every such letter shall be charged with postage as an unpaid letter, and the amount of such postage paid thereon, or stamp or stamps affixed thereto, shall be allowed and deducted in charging such postage thereon.

5. Registered letters may be transmitted by the post, under the authority of this Warrant, upon the payment of such additional charges or rates of postage or otherwise as the Postmaster-General may from time to time direct or appoint in that behalf; provided that all rates of postage and additional charges or rates, from time to time payable thereupon, shall be prepaid, and that no payment shall be made thereupon on the delivery of any such registered letters.

6. Nothing herein contained shall be deemed or construed to annul, prejudice, or affect any of the exemptions and privileges granted by the said firstly hereinbefore recited Act, or to annul, prejudice, or affect any of the privileges which seamen and soldiers employed in Her Majesty's service are now by law entitled to of sending and receiving by the post letters not exceeding  $\frac{1}{2}$  an ounce in weight, subject to the regulations and restrictions made and in force in respect of the same.

7. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said firstly hereinbefore recited Act.

8. The several rates of postage chargeable on letters transmitted by the post, under the provisions of this Warrant, shall be in lieu of any now chargeable thereon under or by virtue of two certain Warrants of the Commissioners of Her Majesty's Treasury, bearing date respectively the 13th day of May, 1863,\* and the 23rd day of October, 1865,† and the same, together with the whole of the said Warrant of the 13th day of May, 1863, and so much of the said Warrant of the 23rd day of October, 1865, as relates to or affects letters transmitted by the post between any part of the United Kingdom and any place in *Sweden*, and between *Sweden* and any of Her Majesty's colonies or any foreign country, are hereby repealed, revoked, and annulled. Nevertheless, no Warrant or part of a Warrant, repealed or annulled by either of the said last-mentioned Warrants, shall be revived by this present Warrant.

9. This Warrant shall come into operation on the 1st day of June, 1866.

10. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at

\* See Vol. 11. Page 1051.

† See Page 806.

any time hereafter alter, repeal, or revoke any of the rates of postage hereby fixed or altered, or any of the orders, regulations, conditions, and restrictions hereby made, and may make and establish any new or other rates, orders, regulations, conditions, and restrictions, in lieu thereof, and may from time to time appoint at what time the rates which may be payable are to be paid.

Whitehall Treasury Chambers, May 21, 1866.

W. P. ADAM.  
LUKE WHITE.

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## SWITZERLAND.

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Newspapers, Books, &c., transmitted to Switzerland, via France; and on Patterns or Samples of Merchandize of no intrinsic value, transmitted from the United Kingdom, or from Malta, to Switerland, via France. September 25, 1865.*

WHEREAS by an Act of Parliament, passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage, payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act, passed in the 11th year of the reign of Her Majesty, chapter 85,† for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act, passed in the 18th year of the reign of Her Majesty, chapter 27,‡ for amending the laws relating to the stamp duties on newspapers, and for the providing for the transmission by post of printed periodical publications.

And whereas the Commissioners of Her Majesty's Treasury, by a certain Warrant in writing, under their hands, bearing

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

‡ See Vol. 10. Page 280.

date at Whitehall Treasury Chambers, the 15th day of December, 1856,\* did, in exercise of the powers reserved to them, in and by the said hereinbefore recited Acts of Parliament, and every of them, and of all other powers enabling them in that behalf, order and direct that certain letters therein respectively mentioned, and also certain packets consisting of printed newspapers, and certain other packets consisting of printed papers other than newspapers, therein respectively mentioned, might be respectively transmitted by the post in conformity with, and under and subject to certain regulations, orders, directions, and conditions, and at certain rates of postage therein respectively mentioned, contained, and specified.

And whereas it is expedient that certain further and other regulations should be made in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us, in and by the said hereinbefore recited Acts of Parliament, and every or any of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows, that is to say :

1. On every packet consisting of a printed newspaper, not exceeding 4 ounces in weight, posted in the United Kingdom, addressed to *Switzerland*, and forwarded *viâ France*, there shall be charged, taken, and paid for the transmission thereof, respectively, as aforesaid, the uniform single rate of postage of 2*d.*; and on every packet consisting of printed papers, other than newspapers, posted in the United Kingdom, addressed to *Switzerland*, and forwarded *viâ France*, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid for the transmission thereof respectively, as aforesaid, the uniform single rate of postage of 4*d.*; and on every such packet, respectively chargeable with postage under this clause, which shall exceed 4 ounces in weight, there shall be charged, taken, and paid on, and in respect of, the said several and respective packets such progressive and additional rates of postage as are hereinafter mentioned and contained relating thereto.

2. All such respective packets, chargeable with postage under the first clause of this Warrant, shall be subject to the same or the like several progressive and additional rates of postage as are mentioned and contained in the 7th clause of the said recited Warrant, bearing date the 20th day of December, 1856, with respect to the several and respective packets in the said 7th clause of the said last-mentioned Warrant mentioned and referred to.

3. For the purposes of this Warrant every printed news-

\* See Vol. 10. Page 136.

paper transmitted by the post under this Warrant shall be deemed and considered a packet, and shall be charged and chargeable with a separate and distinct single rate or separate and distinct progressive and additional rates of postage according to the weight thereof, as hereinbefore mentioned, notwithstanding two or more newspapers shall be enclosed and transmitted in one and the same cover, wrapper, envelope, or bundle, and form only one parcel or bundle of newspapers, and every printed supplement or additional sheet to any newspaper shall, for the purpose of charging the postage under this Warrant, be deemed a distinct newspaper, unless sent in the same cover, or together with the newspaper to which it is a supplement or addition.

4. No packet which shall exceed 2 feet in length, depth, or width, shall be transmitted by the post under the first clause of this Warrant.

5. The said recited Warrant, bearing date the 20th day of December, 1856, shall remain in force, except so far as the same, or any of the provisions thereof, have been altered or revoked by any Warrant or Warrants of the Commissioners of Her Majesty's Treasury, or by any regulations since made by the Postmaster-General; which Warrant or Warrants and regulations, and also the several orders, directions, regulations, and conditions in the said recited Warrant, bearing date the 20th day of December, 1856, and now in force, shall (except as provided by the 4th clause of this Warrant, and so far as the same are not inconsistent with or repugnant to the provisions of this Warrant), be applicable thereto, and to the several provisions thereof, in like manner as if the same (not being inconsistent therewith or repugnant thereto) were herein respectively inserted, expressed, and repeated, with respect to all packets mentioned and contained in, and intended to be regulated by, the preceding clauses of this Warrant.

6. All packets consisting of patterns or samples of merchandize, of no intrinsic value, posted in any part of the United Kingdom, addressed to *Switzerland*, may be transmitted by the post from the United Kingdom to *Switzerland*, *viâ France*, subject to the several rates of postage hereinafter mentioned, that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid, an uniform single rate of postage of 4*d.*

And on every such packet, if exceeding 4 ounces in weight, there shall be charged, taken, and paid, progressive and additional rates of postage as follows, that is to say:

On every such packet, if exceeding 4 ounces and not exceeding  $\frac{1}{2}$  of a pound in weight, there shall be charged, taken, and paid 2 rates of postage.



And on every such packet, if exceeding  $\frac{1}{2}$  of a pound, and not exceeding 1 pound in weight, there shall be charged, taken, and paid 4 rates of postage.

And on every such packet, if exceeding 1 pound, and not exceeding  $1\frac{1}{2}$  pound in weight, there shall be charged, taken, and paid 6 rates of postage.

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of  $1\frac{1}{2}$  pound, there shall be charged, taken, and paid 2 additional rates of postage; and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight, shall be charged as an additional  $\frac{1}{2}$  of a pound in weight; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

7. All packets, consisting of patterns or samples of merchandize, of no intrinsic value, posted in *Malta* addressed to *Switzerland*, may be transmitted by the post from *Malta* to *Switzerland*, *viâ France* (the sea conveyance in the Mediterranean being by British or by *French* packet-boat), subject to the several rates of postage hereinafter mentioned, that is to say:

On every such packet, if not exceeding 2 ounces in weight, there shall be charged, taken, and paid an uniform single rate of postage of 2*d*.

And on every such packet, if exceeding 2 ounces in weight, there shall be charged, taken, and paid progressive and additional rates of postage as follows, that is to say:

On every such packet, if exceeding 2 ounces and not exceeding 4 ounces in weight, there shall be charged, taken, and paid 2 rates of postage.

And on every such packet, if exceeding 4 ounces and not exceeding  $\frac{1}{2}$  of a pound in weight, there shall be charged, taken, and paid 4 rates of postage.

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound and not exceeding 1 pound in weight, there shall be charged, taken, and paid 8 rates of postage.

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of 1 pound, there shall be charged, taken, and paid 4 additional rates of postage; and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 2 ounces in weight.

8. Every packet which shall be transmitted by the post, under the authority of the 6th and 7th clauses of this Warrant, shall be so transmitted in conformity with, and under and sub-

ject to, the several orders, directions, regulations, and conditions hereinafter contained, that is to say:

No such packet which shall in length, width, or depth exceed 2 feet, shall be transmitted by the post under the provisions of this Warrant.

No pattern or sample, being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

There shall be no enclosure, sealed or otherwise closed against inspection, nor any other enclosure, not authorized by this Warrant, sent in or with any such packet.

There shall be no writing or printing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, and a manufacturer's or trade mark, and number and price of the pattern or sample; and every such manufacturer's or trade mark, number, and price, shall be written or printed on labels attached to such patterns or samples, or to the bags or boxes containing the same, and not on loose pieces of paper or other material.

All such packets shall be sent in covers open at the ends so as to be easy of examination. Nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in boxes or in bags of linen, or other material, which shall be tied with a string, or otherwise fastened in such a manner that they may be readily opened, but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

Every such packet posted in the United Kingdom, or in *Malta*, shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

The postage of every such packet posted in the United Kingdom, or in *Malta*, shall in every case be paid at the time of the same being posted by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

9. If any packet authorized to be transmitted by the post under the provisions of the 6th and 7th clauses of this Warrant be sent otherwise than in conformity with the conditions and regulations established by or under the authority of this Warrant in relation thereto, the same shall and may be detained and opened, and at the option of the Postmaster-General shall

be either returned or be given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such packet on being so returned, given up, or forwarded, shall be chargeable with any rates of postage the Postmaster-General may think fit, not exceeding the rates that would be chargeable on such packet as an unpaid letter.

10. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, whenever it may be necessary so to do, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

11. In all cases in which any question shall hereafter arise whether any packet, or any pattern or sample contained therein, transmitted under or by virtue of the 6th and 7th clauses of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

12. The several terms and expressions used in the 1st, 2nd, 3rd, 4th, and 5th clauses of this Warrant, shall be construed to have the like meaning in all respects as the like terms and expressions used in the said recited Warrant, unless the contrary shall be made to appear by the context. And the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act, passed in the 4th year of the reign of Her Majesty, chapter 96.

13. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands duly made, at any time hereafter alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

14. This Warrant shall come into operation on the 1st day of October, 1865.

Whitehall Treasury Chambers, the 25th day of September, 1865.

LUKE WHITE.

E. H. KNATCHBULL-HUGESSEN.

## TURKEY.

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*ACT of the British Parliament, to carry into effect the Convention between Her Majesty, His Majesty the Emperor of the French, and His Imperial Majesty the Sultan, of June 27, 1855, guaranteeing a Loan to be raised by the Sultan.*

[18 & 19 Vict. cap. 99.]

[August 14, 1855.]

WHEREAS His Imperial Majesty the Sultan has addressed himself to Her Majesty and to His Majesty the Emperor of the French to obtain facilities for raising a loan in order to enable him to prosecute with vigour the war against Russia in which he is at present engaged in conjunction with their said Majesties his allies: And whereas a Convention has been signed between Her Majesty, His Majesty the Emperor of the French, and His Imperial Majesty the Sultan, in which it was agreed as follows:

[For Convention of June 27, 1855, see Vol. 10. Page 528.]

And whereas, in pursuance of Her Majesty's gracious recommendation in this behalf, it is expedient that Her Majesty should be enabled to carry into effect the said Convention: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. It shall be lawful for Her Majesty and she is hereby authorized to guarantee, jointly with His Majesty the Emperor of the French, and severally, the interest on the loan to be raised by His Imperial Majesty the Sultan, not exceeding interest at the rate of 4*l.* per centum per annum on a sum of 5,000,000*l.* sterling, upon the terms and conditions set forth in the said Convention, and for that purpose the Commissioners of Her Majesty's Treasury are hereby authorized to cause to be issued from time to time out of the Consolidated Fund of the United Kingdom, or out of the growing produce thereof, such sums of money as may at any time be required to be paid to fulfil the guarantee of Her Majesty in respect of such interest as and when the same interest may from time to time become payable, conformably to the tenor of Her Majesty's Engagement as specified in the said Convention, together with the attending charges of management thereon: provided always, that such charge for management shall in no case exceed the rate of 300*l.* per million of capital on which such interest shall be so payable.

II. The Commissioners of Her Majesty's Treasury shall cause such sums as shall be from time to time paid in or towards the repayment of any money issued under this Act in



respect of the said guarantee of interest to be carried to and form part of the said Consolidated Fund.

III. The Commissioners of Her Majesty's Treasury shall cause to be prepared, and shall lay before both Houses of Parliament in the month of February in every year if Parliament be then sitting, and if Parliament be not sitting, then within 14 days of the next meeting of Parliament, an account up to the 31st December then next preceding of the total sums (if any) which shall from time to time be issued and applied by virtue of this Act for paying and satisfying any interest so agreed to be guaranteed by Her Majesty, and any charge for management of the said loan, and also of the total sums, if any, which may have been repaid in respect of any advances for payment of such interest under the Act.

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BRITISH ORDER IN COUNCIL, *modifying the Order in Council of January 9, 1863,\* so far as relates to the Registration of British Subjects in the Dominions of the Sublime Ottoman Porte.* Windsor, November 17, 1863.†

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*At the Court at Windsor, the 17th day of November, 1863.*

PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS by the Act of the session of Parliament of the 6th and 7th years of Her Majesty's reign (chapter 94),‡ "To remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual," hereinafter called the Foreign Jurisdiction Act, it was enacted (among other things) that it was and should be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty then had or might at any time thereafter have within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory:

And whereas Her Majesty has had and now has power and jurisdiction in the dominions of the Sublime Ottoman Porte:

And whereas Her Majesty was pleased on the 9th day of January, 1863, by and with the advice of Her Privy Council, to make, by Order in Council dated that day, provision for the exercise of her power and jurisdiction as aforesaid:

And whereas by the 62nd clause of the aforesaid Order of

\* See Vol. 11. Page 581. † Repealed by Order in Council of 30th November, 1864.

‡ See Vol. 6. Page 500.

Her Majesty in Council, it is ordered that "every British subject resident in the Ottoman dominions, being of the age of 21 years or upwards, or being married or a widower or widow, though under that age, shall, in the year 1863, in the month of March, and in every subsequent year in the month of January, register himself or herself in a register to be kept at the Consulate of the Consular district within which he or she resides.

"Every such British subject not so resident arriving at any place within the Ottoman dominions where a Consular Office is maintained, unless borne on the muster-roll of a British vessel there arriving, shall, within one month after his or her arrival, register himself or herself in a register to be kept at the Consular Office, but so that no person shall be required to register himself or herself more than once in any year, reckoned from any 1st day of January.

"Every such British subject shall, on every such registration of himself or herself, pay a fee of 5s.

"Any such British subject failing so to register himself or herself, and not excusing his or her failure to the satisfaction of the Consular Officer, shall not be entitled to be recognized or protected as a British subject in the Ottoman dominions, and shall be liable to a fine of not more than 40s. for each instance of such failure; in the case of a married woman (not living apart from her husband) such fine to be levied on her husband's property.

"The Consular Officer shall issue to every British subject so registered, a certificate of registration under his hand and Consular seal."

And whereas it is expedient to modify the provisions of the said clause:

Now, therefore, Her Majesty, by virtue of the powers in this behalf by the Foreign Jurisdiction Act or otherwise in her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered:

That for the purposes of the registration provided for in the above recited 62nd clause of the Order of Her Majesty in Council of the 9th of January, 1863, it shall be deemed sufficient if the head of the family, whether male or female, alone takes out a certificate of registration, on which certificates shall be endorsed the names and description of the females who, at the time when such certificate is granted, shall be living under the same roof with the head of the family, whatever degree of relationship they may bear to the head of the family; but that all male children or male relatives of the head of the family, being of full age, although living under the same roof with the head of the family, shall be bound to take out separate certificates of registration.

And it is further ordered that, except in so far as the above

recited clause in the Order of Her Majesty in Council of the 9th of January, 1863, is modified by the present Order, such clause shall continue to have full force and effect.

And the Right Honourable the Earl Russell, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ARTHUR HELPS.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from Malta, Gibraltar, or Egypt, viâ Southampton, and to or from Constantinople, viâ France.\** February 17, 1864.

WHEREAS by an Act of Parliament, passed in 4th year of the reign of Her Majesty, chapter 96,† for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, parliamentary proceedings, and printed papers transmitted and forwarded by the post; and various regulations were made for facilitating the transmission of such letters and papers by the post, and by the same Act powers were given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her Majesty, chapter 85, for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas, it is expedient to authorize the transmission by the post, between the United Kingdom and *Malta, Gibraltar, Alexandria, Cairo, Suez, and Constantinople*, of certain packets, and for that purpose to make certain regulations in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved in and by the said hereinbefore recited Acts of Parliament, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows, that is to say:

1. All packets consisting of patterns or samples of merchandize of no intrinsic value, posted in any part of the United

\* Repealed, as regards mails viâ Southampton, by Warrant dated December 29, 1865.

† See Vol. 5. Page 248.

Kingdom addressed to *Malta, Gibraltar, or to Alexandria, Cairo, or Suez, in Egypt, or posted in Malta, Gibraltar, or in Alexandria, Cairo, or Suez, in Egypt*, addressed to any part of the United Kingdom may be transmitted by the post between the United Kingdom and *Malta, Gibraltar, and Alexandria, Cairo, and Suez, in Egypt*, by packet boat *viâ* Southampton, subject to the several rates of postage hereinafter mentioned (that is to say):

On every such packet, if not exceeding four ounces in weight, there shall be charged, taken, and paid an uniform single rate of postage of 3*d*.

And on every such packet, if exceeding four ounces in weight, there shall be charged, taken, and paid for such transmission thereof respectively as aforesaid, the several progressive and additional rates of postage hereinafter mentioned.

2. All packets consisting of patterns or samples of merchandize of no intrinsic value, posted in any part of the United Kingdom, addressed to *Constantinople*, or posted in *Constantinople*, addressed to any part of the United Kingdom, may be transmitted by the post between the United Kingdom and *Constantinople viâ France* (the sea conveyance being by French packet-boat), subject to the several rates of postage hereinafter mentioned (that is to say):

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid an uniform single rate of postage of 4*d*.

And on every such packet, if exceeding 4 ounces in weight there shall be charged, taken, and paid for such transmission thereof respectively as aforesaid, the several progressive and additional rates of postage hereinafter mentioned.

3. Every packet which shall be transmitted by the post, under the authority of this Warrant, if exceeding 4 ounces in weight, shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned (that is to say):

On every such packet, if exceeding 4 ounces, and not exceeding  $\frac{1}{2}$  of a pound in weight, there shall be charged, taken, and paid 2 rates of postage.

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound and not exceeding 1 pound in weight, there shall be charged, taken and paid 4 rates of postage.

And on every such packet if exceeding 1 pound, and not exceeding  $1\frac{1}{2}$  pound in weight, there shall be charged, taken, and paid 6 rates of postage.

And on every such packet, if exceeding  $1\frac{1}{2}$  pound, and not exceeding 2 pounds in weight, there shall be charged, taken, and paid 8 rates of postage.

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of 2 pounds, there shall be charged,



taken, and paid 2 additional rates of postage; and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

4. Every packet which shall be transmitted by the post, under the authority of this Warrant, shall be so transmitted in conformity with, and under and subject to, the several orders, directions, regulations, and conditions hereinafter contained (that is to say):

5. No such packet which in length or breadth or width shall exceed the dimensions of 2 feet, shall be transmitted by the post under the provisions of this Warrant.

6. No pattern or sample being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

7. There shall be no enclosure, sealed or otherwise, closed against inspection, nor any other inclosure not authorized by this Warrant, sent in or with any such packet.

8. There shall be no writing or printing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and number and price.

9. All such packets shall be sent in covers open at the ends, so as to be easy of examination. Nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in bags of linen or of other material, but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

10. If any packet sent, or tendered or delivered in order to be sent by post, under the provisions of this Warrant, shall in length, or breadth, or width, exceed the dimensions of 2 feet, or shall consist wholly of patterns or samples of any intrinsic value, as in the sixth clause of this Warrant mentioned, or if there shall be any writing in or printing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and number and price, or if any such packets shall not be sent in covers open at the ends, so as to be easy of examination (except samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, and which may be enclosed in bags of linen or of other material), or, in case of bags being used, if such bags shall be so closed

that they cannot be readily opened, every such packet shall be chargeable and shall be treated in all respects as a letter.

11. If any packet sent, or tendered or delivered in order to be sent by the post, under the provisions of this Warrant, shall contain any enclosure, sealed or otherwise closed against inspection, or any other enclosure not authorized by this Warrant, every such enclosure may be taken out by any officer of the Post Office, and either returned or given up to the sender thereof or be forwarded to the address on the packet, charged not only with the full rates of postage as an unpaid letter, but also, in the case of packets posted in the United Kingdom, or in *Malta, Gibraltar, or in Alexandria, Cairo, or Suez, in Egypt*, and transmitted by the post under the authority of the first clause of this Warrant, with a further and additional rate of 3*d.*, and in the case of packets posted in the United Kingdom or in *Constantinople*, and transmitted by the post under the authority of the second clause of this Warrant, with a further and additional rate of postage of 4*d.*, and the remainder of the packet, if duly prepaid by stamps, may be forwarded to the place of its address without any extra charge.

12. The postage of all such packets as aforesaid posted in the United Kingdom, or in *Malta, Gibraltar, or in Alexandria, Cairo, or Suez, in Egypt, or Constantinople*, shall in every case be paid at the time of the same being posted, not in money, but by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet, near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

13. If any packet sent, or tendered or delivered in order to be sent by the post, under the provisions of this Warrant, shall be posted in the United Kingdom, or in *Malta, Gibraltar, or in Alexandria, Cairo, or Suez, in Egypt, or Constantinople*, having thereon, or affixed thereto a stamp or stamps, the value of which shall be less in amount than the rate of postage to which such packet would be liable under and by virtue of this Warrant, every such last-mentioned packet shall be forwarded charged with the amount of the difference between the value of such stamp or stamps so being thereon, or affixed thereto, and the postage to which such packet would be liable as aforesaid, together with a further and additional rate of postage of 3*d.* in the case of packets posted in the United Kingdom, or in *Malta, Gibraltar, or in Alexandria, Cairo, or Suez, in Egypt*, and transmitted by the post under the authority of the first clause of this Warrant; and in the case of packets posted in the United Kingdom or in *Constantinople*, and transmitted by the post under the authority of the second clause of this Warrant, with

a further and additional rate of postage of 4*d.*; but if any such packet shall be posted in the United Kingdom, or in *Malta*, *Gibraltar*, or in *Alexandria*, *Cairo*, or *Suez*, in *Egypt*, or in *Constantinople*, without having thereon or affixed thereto any postage stamp, every such respective packet shall be forwarded charged with a postage of double the amount of postage to which it would have been liable under and by virtue of this Warrant if the postage had been paid by stamps when posted.

14. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet posted or forwarded by the post under the provisions of this Warrant, either for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

15. The several packets transmitted by the post under the provisions of this Warrant shall be subject to the several orders, directions, regulations, and rates of postage respectively contained in a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 19th day of February, 1855,\* relating to re-directed rates of postage upon letters and packets which shall be re-directed and again forwarded by the post, so far as the same are applicable to such packets.

16. In all cases in which any question shall hereafter arise, whether any packet, or any pattern or sample contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

17. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act, passed in the 4th year of the reign of Her Majesty, chapter 96.

18. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed, or any of the regulations hereby made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time may appoint at what time the rates that may be payable are to be paid.

19. This Warrant shall come into operation on the 1st day of April, 1864.

Whitehall Treasury Chambers, the 17th day of February,  
1864.

WM. DUNBAR,  
LUKE WHITE.

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\* See Vol. 10. Page 289.

CONVENTION *between Great Britain and Turkey, for the establishment of Telegraphic Communication between India and the Ottoman Territory. Signed in the English and French Languages at Constantinople, September 3, 1864.*

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HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the Ottomans, being desirous to establish between their respective States telegraphic communications, by means of which India, connected by a submarine cable with the Ottoman territory at the mouth of the Shat-el-Arab, will be in telegraphic communication with Turkey, and consequently with all the other States of Europe, have agreed to conclude a Telegraphic Convention, and with that object have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Henry Lytton Bulwer, a member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, and Her Majesty's Ambassador Extraordinary and Plenipotentiary to the Sublime Porte;

And His Majesty the Emperor of the Ottomans, His Highness Mehemed Emin Aali Pasha, Minister for Foreign Affairs, decorated with the Imperial Orders of the Osmanie, of the Medjidie, and of Merit of the first class in brilliants, Grand Cross of several Foreign Orders;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:

ART. I. The Ottoman Government will continue, at its own cost, to the mouth of the Shat-el-Arab, the main telegraphic line of Asia now existing between Scutari of Constantinople and Bagdad, and will connect the said main line, in the direction of Khanakain, with the Persian land lines which communicate with the submarine cable at Bushire.

The maintenance and repairs of the said Ottoman lines will be at the charge of the Ottoman Administration.

II. On the other hand, the Government of India will lay down, at its own expense, a submarine telegraphic cable, which, starting from some point of the British Indian Empire and touching at Bushire, will terminate at the mouth of the Shat-el-Arab, where it will join the Ottoman land line.

The maintenance and repairs of this cable shall be at the expense of the Indian Administration.

III. His Majesty the Sultan authorizes the establishment on Ottoman territory, at the mouth of the Shat-el-Arab, of a

\* Ratifications exchanged at Constantinople, October 31, 1864.



British telegraph office, with a staff, which shall not exceed in number 50 persons, placed under the exclusive orders of a British station-master, and which, as well as the apparatus and all the instruments requisite for working the submarine line, shall be at the expense of the British Government.

IV. The aforesaid British office shall be located in the same building occupied by the Ottoman station at the mouth of the Shat-el-Arab, with a view to facilitate the combined operations of the common service.

The apparatus of the Ottoman service and that of the British service at that joint station shall be placed in separate compartments, but in close proximity to each other, and shall not be connected.

The exchange of messages shall take place immediately on their receipt, the officers handing them to each other through a window, and the service of the British and Ottoman offices shall be permanent. The rent and cost of maintenance of the mixed telegraphic station shall be shared in equal proportions by the British and Ottoman Administrations.

V. It is well understood that the active service of the British office on Ottoman territory shall be limited to the receipt and delivery by hand to the Ottoman office of the messages arriving from India by the submarine cable; to the transmission of those which are delivered to it by the Ottoman office; and lastly, to the superintendence and maintenance of a safe and regular submarine communication between the mouth of the Shat-el-Arab and India.

The direction-in-chief of the mixed station shall devolve on the Ottoman Administration, but without the right of interfering in the internal administration of the British office.

VI. In order to ensure promptitude in the Indo-European correspondence and its regular transmission and receipt, the Ottoman Government will not fail to establish a permanent service at Bagdad and Fao, as well as at the majority of stations on the main line of Asia between Constantinople and Fao, and to appoint thereto a staff possessing a knowledge of the English language sufficient for the perfect performance of that important service.

Moreover, the Ottoman Government being desirous that the expeditious transit of the Indo-European messages over its territory should be rendered still more satisfactory, engages to establish at Constantinople an office of transmission devoted exclusively to the service of messages to and from India. Its officers, and especially the station master, shall be selected from those of the Ottoman telegraph officials who are thoroughly conversant with the English language.

VII. The Ottoman Government will take the necessary measures to secure that one wire of the main line from Con-

Constantinople to Fao shall be always exclusively devoted to Indo-European messages. In case this wire should get out of order, or in case of a press of traffic, the official Indo-European messages may be forwarded by one of the wires intended for local traffic, but after the official despatches of the Ottoman Government. In that case private Indo-European dispatches shall be forwarded together with private messages already deposited at the office, and in alternative order with those messages, whatever may have been the hour at which the latter may have been deposited.

VIII. The Convention of Brussels, of June 30, 1858,\* in all that relates to the details of the telegraphic service, shall be mutually observed by the two Contracting Governments, in so far as it is not opposed to the terms of the present Convention.

IX. It is agreed between the High Contracting Parties that the rates for Indo-European messages sent by the Ottoman lines in Asia throughout their whole extent from Constantinople to Fao, or to the Persian frontier in the direction of Khanakain, and *vice versa*, shall not exceed the limit of 27½ francs for a single message sent from Constantinople to Fao or *vice versa*, and of 22½ francs for a single message sent from Constantinople to Khanakain or *vice versa*, as also that the rates for messages traversing the whole submarine line from India to Fao, or to Bushire, and *vice versa*, shall not exceed the limit, for the former of 62½ francs, for each single despatch, and, for the latter, of 50 francs.

X. The administrations of the two Contracting Governments will communicate to each other, with the least possible delay, the tariff of their stations and frontiers, in so far as they may have reference to the Indo-Ottoman frontier of Fao. According to that tariff the rates shall be mutually accounted for in the monthly accounts of messages exchanged between the two administrations at the aforesaid frontier of Fao.

XI. The mutual account for telegraphic rates, expenses of postage, and of expresses, &c., shall be checked at the expiration of every month and settled quarterly. The liquidation and payment of the surplus which may be due to either administration shall take place at the close of each quarter. The accounts of each administration shall enumerate only the rates in debit: they shall be drawn up by the Ottoman Administration in francs and centimes, the total being reduced to shillings and pence; and by the British Administration in shillings and pence, the total being reduced to francs and centimes.

The reduction of these sums shall be calculated at the rate of—

\* For Convention between Belgium, France, and Prussia, see State Papers. Vol. 57. Page 1095.

1 pound sterling	=	25 francs.
1 shilling	=	1 franc 25 centimes.
1 penny	=	10 centimes.

XII. The balance which may accrue from the quarterly liquidation, in favour of one or other of the administrations, may be paid either in Turkish pounds, in pounds sterling, or in 20-franc pieces. Should the balance be in favour of the Indian Administration, payment shall be made by Turkey into the hands of the delegate of that Administration at Constantinople; and should it be in favour of the Ottoman Administration, payment shall be made by the aforesaid delegate to the Director-General of the Ottoman telegraphs.

XIII. In order to facilitate and accelerate the operations relating to the reciprocal settlement of the quarterly accounts with the Central Administration of Ottoman telegraphs, the Indian Government shall be entitled to appoint a delegate to reside at Constantinople, the seat of that administration. The Ottoman Government shall likewise be entitled to name a delegate for the same purpose, to reside at the seat of the Central Telegraphic Administration of the Indian Government. The respective delegates shall be entitled to receive from the respective Central Administrations all the information and explanations which they may require.

XIV. All messages to or from India may be forwarded indifferently, as may be most convenient for the service, either by the line of Bussorah or by that of Khanakain.

XV. It is well understood that the Ottoman Government shall be in account current and shall have direct administrative relations with the Government of India in respect to all messages, whether sent by the frontier of Fao or by the Persian route of Khanakain. Thus the two Contracting Governments shall not be in account current, and shall not have direct administrative relations with Persia,\* except in respect to payment for those messages only which shall have traversed the Persian lines; so that, as regards Indo-European messages, the two High Contracting Parties shall only account to the Persian Government for the amount due to it for their transit along the Persian lines between Khanakain and Bushire.

XVI. The present Convention shall come into operation as soon as the submarine cable shall be in communication with the land lines of Turkey and of India, and shall remain in force for 3 years from the day on which the ratifications are exchanged. Nevertheless, the High Contracting Parties may introduce into it, according as necessity may require, such modifications as may be considered by common agreement to be useful and indispensable.

\* For Treaty between Turkey and Persia, of November 28, 1863, see State Papers, Vol. 57. Page 1342.

At the end of 3 years the present Convention shall be deemed to be in force for an indefinite term, and until the expiration of 6 months reckoning from the date on which either of the Parties shall have made known to the other its intention to put an end to the same.

XVII. The present Convention shall be ratified, and the ratifications shall be exchanged at Constantinople as soon as possible.

Done at Constantinople, on the 3rd day of September, 1864.

(L.S.) HENRY LYTTON BULWER.  
(L.S.) AALI.

BRITISH ORDER IN COUNCIL, *revising the Orders in Council of January 9, 1863,\* and November 17, 1863,† relative to the Power and Jurisdiction of Her Majesty in the Dominions of the Sublime Ottoman Porte.* Windsor, November 30, 1864.

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*At the Court at Windsor, the 30th day of November, 1864.*

PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the Act of the Session of Parliament of the 6th and 7th years of Her Majesty's reign (chapter 94),\* "to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions and to render the same more effectual," hereinafter called The Foreign Jurisdiction Act, it was enacted (amongst other things) that it was and should be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty then had or might at any time thereafter have within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory :

And whereas Her Majesty has had and now has power and jurisdiction in the dominions of the Sublime Ottoman Porte :

And whereas Her Majesty was pleased, by and with the advice of Her Privy Council, on the 9th day of January, 1863, and the 17th day of November, 1863, to make, by Orders in Council dated on those days respectively, provision for the exercise of her power and jurisdiction aforesaid :

And whereas it has seemed to Her Majesty, by and with the advice of Her Privy Council, to be expedient at the present time to revise the provisions of the said Orders, and to make further provision for the due exercise of Her Majesty's power and jurisdiction aforesaid, and for the more regular and efficient administration of justice and the better maintenance of order among all classes of Her Majesty's subjects and of persons enjoying Her Majesty's protection resident in or resorting to the dominions of the Sublime Ottoman Porte :

Now therefore, Her Majesty, by virtue of the powers in this behalf by The Foreign Jurisdiction Act or otherwise in her vested, is pleased by and with the advice of Her Privy Council to order, and it is hereby ordered, as follows :

#### I.—PRELIMINARY.

1. This Order shall commence from and after the 31st day of December, 1864.

2. The Orders of the 9th day of January, 1863, and the 17th day of November, 1863, are hereby repealed.

\* See Vol. 6. Page 500.

This repeal shall not affect the past operation of those Orders, or either of them, or any appointment made or thing done under them or either of them.

3. Pending proceedings shall be regulated by this Order as far as the nature and circumstances of each case admit.

4. In this Order, the term "the Ottoman dominions" means the dominions of the Sublime Ottoman Porte ;

The term "Native Indian subject of Her Majesty" means a native of India (as defined in the Act of Parliament of 1858,\* "for the better Government of India") not being of European descent ;

The term "month" means calendar month ;

Words importing the plural or the singular may be construed as referring to one person or thing, or more than one person or thing, and words importing the masculine as referring to females (as the case may require).

5. The provisions of this Order relating to British subjects apply to all subjects of Her Majesty, whether by birth or by naturalization, and also to all persons enjoying Her Majesty's protection in the Ottoman dominions.

The provisions of this Order relating to foreigners apply to subjects of the Sublime Ottoman Porte and subjects or citizens of any other Power or State (not being enemies of Her Majesty).

## II.—GENERAL PROVISIONS RESPECTING HER MAJESTY'S JURISDICTION.

6. All Her Majesty's jurisdiction exerciseable in the Ottoman dominions for the judicial hearing and determination of matters in difference between British subjects, or between British subjects and foreigners,—or for the administration or control of the property or persons of British subjects,—or for the repression or punishment of crimes or offences committed by British subjects,—or for the maintenance of order among British subjects,—shall be exercised under and according to the provisions of this Order, and not otherwise.

7. Subject to the other provisions of this Order, the civil and criminal jurisdiction aforesaid shall, as far as circumstances admit, be exercised upon the principles of and in conformity with the common law, the rules of equity, the statute law, and other law for the time being in force in and for England, and with the powers vested in and pursuant to the course of procedure and practice observed by and before Courts of Justice and Justices of the Peace in England, according to their respective jurisdictions and authorities.

8. Nothing in this Order shall be deemed to deprive Her Majesty's Consular Officers of the right to observe and to enforce the observance of any reasonable custom obtaining

\* See Vol. 10. Page 1092.

within the Ottoman dominions or to deprive any person of the benefit thereof, except where this Order contains some express and specific provision incompatible with the observance of such custom.

9. Except as to offences against the Capitulations, Articles of Peace, and Treaties between Her Majesty and the Sublime Ottoman Porte, or against any rules and regulations for the observance thereof or for the maintenance of order among British subjects in the Ottoman dominions made by or under the authority of Her Majesty, or against any of the provisions of this Order, or of any rule made under it.

No act done by a British subject in the Ottoman dominions, or on board a British vessel within those dominions, which would not by a Court of Justice having criminal jurisdiction in England be deemed a crime or offence rendering the person doing such act amenable to punishment in England, shall, in the exercise of criminal jurisdiction under this Order, be deemed a crime or offence rendering the person doing such act amenable to punishment.

### III.—CONSTITUTION OF HER MAJESTY'S CONSULAR COURTS.

#### I.—THE SUPREME CONSULAR COURT AT CONSTANTINOPLE.

10. There shall be a court styled "Her Britannic Majesty's Supreme Consular Court for the Dominions of the Sublime Ottoman Porte."

11. The Supreme Consular Court shall hold its ordinary sittings at Constantinople; but may, on emergency, sit at any other place within the district of the Consulate-General of Constantinople, and may at any time hold its ordinary sittings at any such place within the Ottoman dominions as one of Her Majesty's Principal Secretaries of State approves.

12. There shall be one judge of the Supreme Consular Court. Her Majesty's Consul-General at Constantinople for the time being shall be the judge, but he shall be appointed to the office of judge by Her Majesty by special warrant under her royal sign manual.

He shall be, at the time of his appointment, a member of the Bar of England, Scotland, or Ireland, of not less than 7 years' standing (or a subject of Her Majesty by birth or naturalization), who has filled the office of legal Vice-Consul in the Ottoman dominions or the office of law secretary to the Supreme Consular Court.

He may, in case of his absence from the district of the Consulate-General of Constantinople, either in the discharge of his duty, or with permission of one of Her Majesty's Principal Secretaries of State, or in case of illness, appoint, by writing under his hand and seal, a fit person to be his deputy, who shall have all the power and authority of judge.

During a vacancy in the office of judge, or on emergency, a fit person, approved by one of Her Majesty's Principal Secretaries of State, may temporarily be and act as acting judge, with all the power and authority of judge.

Notwithstanding anything in this Order, Her Majesty may make an appointment to the office of judge at any time after the passing of this Order; but any such appointment shall not take effect before the 1st day of January, 1865.

13. There shall be attached to the Court,

(1.) One law secretary;

(2.) So many officers and clerks as one of Her Majesty's Principal Secretaries of State from time to time thinks fit.

One of Her Majesty's Principal Secretaries of State may from time to time temporarily attach to the Court such persons holding appointments as Consuls or Vice-Consuls as he thinks fit.

14. The law secretary shall be appointed by Her Majesty.

He shall hold by special commission from Her Majesty the appointment of Vice-Consul.

He shall act as registrar of the court.

He shall discharge such duties in connexion with the conduct of criminal prosecutions as the judge from time to time directs.

He shall hear and determine in a summary way such criminal charges as may under this Order be properly so heard and determined, and as are specially referred to him by the judge.

Where a suit or proceeding of a civil nature, originally instituted in the Supreme Consular Court, relates to money, goods or other property, or any civil right or other matter at issue of a less amount or value than 100 pounds sterling, or is instituted for the recovery of damages of a less amount than 100 pounds sterling, the judge may refer such suit or proceeding specially to the law secretary to be heard and determined by him; but in all such cases an appeal shall lie as of course to the judge.

In case of the absence or illness of the law secretary, or during a vacancy in the office of law secretary, or during the temporary employment of the law secretary in any other capacity, the judge may, by writing under his hand and seal, appoint any fit person approved by one of Her Majesty's Principal Secretaries of State to act temporarily as law secretary. The person so appointed shall have all the power and authority of law secretary.

Every Consul or Vice-Consul temporarily attached to the court under Article 13 shall discharge such duties in connexion with the court as the judge from time to time, with the approval of one of Her Majesty's Principal Secretaries of State, directs; and for that purpose shall have the like power and authority as the law secretary.



## II.—THE PROVINCIAL CONSULAR COURTS.

15. In addition to the Supreme Consular Court, each of Her Majesty's Consuls-General, Consuls, and Vice-Consuls (holding a commission as such from Her Majesty), resident in the Ottoman dominions (with such exceptions as one of Her Majesty's Principal Secretaries of State at any time thinks fit to make), or any person acting temporarily, with the approval of one of Her Majesty's Principal Secretaries of State, as such a Consul-General, Consul, or Vice-Consul, shall, for and in his own Consular district, hold and form a court styled "Her Britannic Majesty's Consular Court at [Smyrna, or as the case may be]," hereafter in this Order called a Provincial Court.

## IV.—JURIES. ASSESSORS.

16. Every male British subject resident in the Ottoman dominions, being of the age of 21 years or upwards, being able to speak and read English, having or earning a gross income at the rate of not less than 50*l.* a-year, not having been attainted of treason or felony, or convicted of any crime that is infamous (unless he has obtained a free pardon), and not being under outlawry, shall be qualified to serve on a jury.

17. All persons so qualified shall be liable so to serve, except the following:

Persons in Her Majesty's Diplomatic, Consular, or other civil service in actual employment;

Officers, clerks, keepers of prisons, messengers, and other persons attached to or in the service of any Consular Court;

Officers and others on full pay in Her Majesty's Navy or Army, or in actual employment in the service of any department connected therewith;

Persons holding appointments in the Civil service, and Commissioned Officers in the Naval or Military service, of the Sublime Ottoman Porte;

Clergymen and ministers in the actual discharge of professional duties;

Advocates and attorneys in actual practice;

Physicians, surgeons, and apothecaries in actual practice;

And except persons disabled by mental or bodily infirmity.

18. On or before the 14th day of January in every year, each Consular Court shall make out a list of the persons so qualified and liable, resident within its district.

The list shall, on or before the 21st day of the same month, be affixed in some conspicuous place in the court, and shall be there exhibited until the 31st day of that month, with a notice annexed that on a day specified, not being sooner than the 7th or later than the 14th day of the then next month, the court will hold a special sitting for the revision of the list.

The court shall hold such special sitting accordingly, and at

such sitting, or at some adjournment thereof (of which public notice shall be given), shall revise the list by striking out the name of any person appearing to be not qualified or not liable to serve, and by inserting the name of any person omitted and appearing to be so qualified and liable, either on the application of the person omitted, or on such notice to him as the court thinks fit to direct.

The list shall be finally revised and settled not later than the 21st day of February in every year, and when settled shall be affixed in some conspicuous place in the court, and be there exhibited during not less than two months.

Such list, as settled, shall be brought into use in every year on the 1st day of March, and shall be used as the jury list of the court, for the months then next ensuing.

19. Where, in pursuance of this Order, a jury is required, the court shall summon so many of the persons comprised in the jury list, not fewer than 15, as seem requisite.

Any person failing to attend according to such summons shall be liable to such fine, of not more than 10*l.* sterling, as the court thinks fit to impose.

Any such fine shall not be levied until after the expiration of 14 days. The proper officer of the court shall forthwith give to the person fined notice in writing of the imposition of the fine, and require him within 6 days after receipt of the notice to file an affidavit excusing his non-attendance (if he desires to do so). The court shall consider the affidavit, and may, if it seems proper, remit the fine.

20. A jury shall consist of 5 jurors.

21. In civil and in criminal cases the like challenges shall be allowed as in England, with this addition, that in civil cases each party may challenge 3 jurors peremptorily.

22. A jury shall be required to give an unanimous verdict.

23. Where there is a jury, all the proceedings at the trial shall be conducted in English,—evidence, if given in any other language, being interpreted in the usual way.

24. Where a Provincial Consular Court (not held before a resident legal Vice-Consul) proceeds, in pursuance of this Order, to hear and determine any case, civil or criminal, with assessors, the court shall nominate and summon as assessors not less than two and not more than 4 indifferent British subjects of good repute, resident in the district of the court.

Where, however, by reason of local circumstances, the court is able to obtain the presence of one fit person only as assessor, the court may sit with him alone as assessor, and where for like reasons it is not able to obtain the presence of any fit person as assessor, it may sit without an assessor; but in every such case the court shall record in the minutes of proceedings its reasons for sitting with one assessor only, or without an assessor.

25. An assessor shall not have voice or vote in the decision of the court in any case, civil or criminal, but an assessor dissenting in a civil case from any decision of the court, or in a criminal case from any decision of the court or the conviction or the amount of punishment awarded, may record in the minutes of proceedings his dissent and the grounds thereof, and an assessor dissenting shall be entitled to receive gratis a certified copy of the minutes.

#### V.—JURISDICTION AND AUTHORITIES OF THE CONSULAR COURTS.

##### I.—IN GENERAL.

26. All Her Majesty's jurisdiction, civil and criminal, exerciseable in the Ottoman dominions shall, for and within the district of the Consulate-General of Constantinople, be vested exclusively in the Supreme Consular Court as its ordinary original jurisdiction.

27. All Her Majesty's jurisdiction, civil and criminal, exerciseable in the Ottoman dominions beyond the district of the Consulate-General of Constantinople, and not under this Order vested exclusively in the Supreme Consular Court, shall, to the extent and in the manner provided by this Order, be vested in the Provincial Consular Courts each for and within its own district.

28. The Supreme Consular Court shall have, in all matters civil and criminal, an original jurisdiction concurrent with the jurisdiction of the several Provincial Consular Courts, such concurrent jurisdiction to be exercised subject and according to the other provisions of this Order.

29. The judge of the Supreme Consular Court may visit, in a magisterial or judicial capacity, any Provincial Consular Court, and there inquire of, or hear and determine, any case, civil or criminal, pending in that court, or arising within its district, or may appoint the law secretary of the Supreme Consular Court to visit in the like capacity and for the like purpose any Provincial Consular Court, or may appoint the legal Vice-Consul of any Provincial Consular Court to visit in the like capacity and for the like purpose any Provincial Consular Court where there is not a resident legal Vice-Consul.

30. A Provincial Consular Court may, of its own motion, or on the application of any person concerned, report to the Supreme Consular Court the pendency of any case, civil or criminal, which appears to the Provincial Consular Court fit to be heard and determined by the Supreme Consular Court.

The Supreme Consular Court shall thereupon direct in what mode and where the case shall be heard and determined, and the same shall be so heard and determined accordingly.

31. Every Consular Court shall, in the exercise of every part of its respective jurisdiction, be a Court of Record.

32. Each Provincial Consular Court shall execute any writ

or order issuing from the Supreme Consular Court, and take security from any person named in any writ or order for his appearance personally or by attorney, and in default of such security being given, or when specially ordered by the Supreme Consular Court so to do, send such person to Constantinople on board one of Her Majesty's vessels of war, or if there is no such vessel available, then on board any British or other fit vessel.

The order of the Supreme Consular Court shall be sufficient authority to the commander or master of such vessel of war or other vessel to receive and detain such person, and carry him to and deliver him up at Constantinople according to the order.

33. The several Consular Courts shall be auxiliary to one another in all particulars relative to the administration of justice, civil or criminal.

34. Each Provincial Consular Court shall, every 6 months, furnish to the Supreme Consular Court a report of every case, civil and criminal, brought before it, in such form as the judge of the Supreme Consular Court from time to time directs.

## II.—IN CIVIL MATTERS.

### *Reconciliation and Arbitration.*

35. Every Consular Court and its officers shall, as far as there is proper opportunity, promote reconciliation, and encourage and facilitate the settlement in an amicable way, and without recourse to litigation, of matters in difference between persons over whom the court has jurisdiction.

36. Every Consular Court may promote reconciliation, and encourage and facilitate the settlement in an amicable way of any suit or proceeding pending before it.

37. A Consular Court may, with the consent of the parties, refer to arbitration the final determination of any suit or proceeding pending before it, or of all matters in difference between the parties, on such terms and with such directions as to appointment of an arbitrator and other things as may seem fit, and may, if it thinks fit, take from the parties, or any of them, security to abide by the result of the reference.

In any such case the award shall be final and conclusive.

On the application of any party a decree of the court may be entered in conformity with the award, and such decree shall not be open to any appeal or re-hearing whatever.

38. Every agreement for reference to arbitration or submission to arbitration by consent between or by British subjects, may, on the application of any party, be made a rule of the Consular Court having jurisdiction in the matter of the reference or submission, which court shall thereupon have power and authority to enforce the agreement or submission and the award made thereunder, and to control and regulate the proceedings before and after the award in such manner and on such terms as may be just.



*General Authority of Courts.*

39. The Supreme and every other Consular Court shall be a Court of Law and of Equity; and (subject to the provisions of this Order) shall have and may exercise all jurisdiction, power, and authority, legal, equitable, or other, which any Consul of Her Majesty by custom has or may exercise in the Ottoman dominions.

*Special Authorities of Courts.*

40. The Supreme and every other Consular Court shall be a Court of Bankruptcy, and as such shall, as far as circumstances admit, have, each for and within its own district, with respect to British subjects and to their debtors and creditors, being either British subjects or foreigners submitting to the jurisdiction of the court, all such jurisdiction as for the time being belongs to the Court of Bankruptcy, and the County Courts in England, or to any other judicial authority having for the time being jurisdiction in Bankruptcy in England.

41. The Supreme Consular Court shall be a court of Vice-Admiralty, and as such shall, for and within the Ottoman dominions, and for vessels and persons coming within those dominions, have all such jurisdiction as for the time being ordinarily belongs to Courts of Vice-Admiralty in Her Majesty's possessions abroad.

Every Provincial Consular Court held before a resident legal Vice-Consul shall be a Court of Vice-Admiralty, and as such shall, for its own district, and for vessels and persons coming within that district, have the like jurisdiction.

42. The Supreme Consular Court, shall, as far as circumstances admit, have in itself exclusively, for and within the dominions of the Sublime Ottoman Porte, with respect to British subjects, all such jurisdiction relative to the custody and management of the persons and estates of persons of unsound mind as for the time being belongs to the Lord Chancellor or other person or persons in England intrusted by virtue of Her Majesty's sign manual with the care and commitment of the custody of the persons and estates of persons found by inquisition in England, idiot, lunatic, or of unsound mind.

43. The Supreme Consular Court shall be a court for Matrimonial Causes, and as such shall, as far as circumstances admit, have in itself exclusively, for and within the Ottoman dominions, with respect to British subjects, all such jurisdiction, except the jurisdiction relative to dissolution or nullity or jactitation of marriage, as for the time being belongs to the Court for Divorce and Matrimonial Causes in England.

44. The Supreme Consular Court shall be a Court of Probate, and as such shall, as far as circumstances admit, have, for and within the Ottoman dominions, with respect to the

property of British subjects having at the time of death their fixed places of abode within those dominions, all such jurisdictions as for the time being belongs to Her Majesty's Court of Probate in England.

A Provincial Consular Court shall, however, also have power to grant probate or administration where there is no contention respecting the right to the grant, and it is proved on oath that the deceased had, at the time of his death his fixed place of abode within the jurisdiction of the particular court.

Probate or administration granted by a Provincial Consular Court shall have effect over all the property of the deceased within the Ottoman dominions, and shall effectually discharge persons dealing with an executor or administrator thereunder, notwithstanding that any defect afterwards appears in the grant. Such a grant shall not be impeachable by reason only that the deceased had not at the time of his death his fixed place of abode within the particular jurisdiction.

45. From the death of a British subject, having at the time of death his fixed place of abode within the Ottoman dominions, intestate, until administration granted, his personal property within those dominions shall be vested in the judge of the Supreme Consular Court, as the personal property of an intestate in England is vested in the judge of Her Majesty's Court of Probate there.

46. If any person, other than one of Her Majesty's Consular Officers takes possession of and in any manner administers any part of the personal property of any person deceased without obtaining probate or administration within 3 months after the death of the deceased, or within one month after the termination of any suit or dispute respecting probate or administration (if there is any such which is not ended within 2 months after the death of the deceased), he shall be liable to such penalty not exceeding £100 sterling as the court having jurisdiction in the matter of the property of the deceased thinks fit to impose.

*Trial with a Jury.*

47. Where a suit instituted in the Supreme Consular Court, or in a Provincial Consular Court held before a resident legal Vice-Consul, relates to money, goods, or other property or any civil right or other matter at issue of the amount or value of £50 sterling or upwards—or is brought for recovery of damages of the amount of £50 sterling or upwards—the suit shall, on the demand of either party, be tried with a jury.

In any case (except where, according to the rules of the court, the suit is to be heard and determined in a summary way) a suit so instituted may be tried with a jury, if the Court of its own motion or on the application of either party, thinks fit so to order.

One of Her Majesty's Principal Secretaries of State may, by order under his hand, extend the present provision to any Provincial Consular Court not held before a resident legal Vice-Consul where it appears to him a sufficient jury list can be obtained.

*Trial with Assessors.*

48. Where a suit instituted in a Provincial Consular Court not held before a resident legal Vice-Consul relates to money, goods, or other property of a less amount or value than £300 sterling, or does not relate to or involve, directly or indirectly, a question respecting any civil right or other matter at issue of the amount or value of £300 sterling or upwards,—is brought for recovery of damages of a less amount than 300*l.* sterling,—the court may hear and determine the case without assessors.

In all other cases the court shall hear and determine the case with assessors.

III.—IN CRIMINAL MATTERS.

49. Every Consular Court shall have authority to cause to be apprehended and brought before it any British subject being within the district of the court and charged with having committed a crime or offence within the Ottoman dominions, or on board a British vessel within those dominions, and to deal with the accused according to the jurisdiction of the court and in conformity with the provisions of this Order: or where the crime or offence is triable, and is to be tried, in England, to take the preliminary examination, and to commit the accused for trial, and cause or allow him to be taken to England.

50. Where a person charged with a crime or offence escapes or removes from the consular district within which the crime or offence was committed and is found within another consular district, the Consular Court within the district of which he is found may proceed in the case to examination, trial, and punishment, or in a summary way (as the case may require), in the same manner as if the crime or offence had been committed in its own district; or may, on the requisition or with the consent of the court of the district within which the crime or offence was committed, send him in custody to that court, or require him to give security for his surrender to that court, there to answer the charge and be dealt with according to law.

Where any person is to be so sent in custody a warrant shall be issued by the Court within the district of which he is found, and such warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and carry him to and deliver him up to the Court of the district within which the crime or offence was committed, according to the warrant.

51. Where a warrant or order of arrest is issued by a competent authority in Malta for the apprehension of a British

subject, a native of Malta, or of any of its dependencies, who is accused of having committed a crime or offence within the jurisdiction of the authority issuing the warrant or order, and who is, or is supposed to be, in the Ottoman dominions, and the warrant or order is produced to a Consular Court, the Court may back the warrant or order, and the same, when so backed shall be sufficient authority to any person to whom the warrant or order was originally directed, and also to any constable or any other officer of the court by which it is backed, to apprehend the accused at any place in the Ottoman dominions where the court by which the warrant or order is backed has jurisdiction, and to carry him to and deliver him up at Malta, according to the warrant or order.

52. Where any person is charged with the commission of a crime or offence the cognizance whereof appertains to a Consular Court in the Ottoman dominions, and it is expedient that the crime or offence be inquired of, tried, determined, and punished within Her Majesty's dominions, the accused may (under The Foreign Jurisdiction Act, section 4) be sent for trial, as follows, namely: with respect to native Indian subjects of Her Majesty, to Bombay, and with respect to other British subjects, to Malta.

The Judge of the Supreme Consular Court may, where it appears so expedient, by warrant under his hand and seal and the seal of the Supreme Consular Court, cause the accused to be sent for trial to Bombay or to Malta (as the case may require) accordingly.

Such warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and carry him to and deliver him up at Bombay or at Malta (as the case may be), according to the warrant.

Where any person is to be so sent to Bombay or to Malta, the Consular Court before which he is charged shall take the preliminary examination, and shall bind over such of the proper witnesses as are British subjects in their own recognizances to appear and give evidence on the trial.

53. A Consular Court may promote reconciliation and encourage and facilitate the settlement in an amicable way, of proceedings for assault or any other offence not amounting to felony and being of a private or personal character, on terms of payment of compensation or other terms that may seem reasonable or expedient, and may thereupon order the proceedings to be stayed.

54. All crimes which in England are capital shall be tried by the Judge of the Supreme Consular Court with a jury.

Other crimes and offences above the degree of misdemeanour, tried before the judge or law secretary of the Supreme Consular Court, and not heard and determined in a summary way, shall be tried with a jury.



Any crime or offence tried before the judge or law secretary of the Supreme Consular Court may be tried with a jury where the judge and law secretary so directs.

Subject to the foregoing provisions, such classes of criminal cases within the original jurisdiction (ordinary or concurrent) of the Supreme Consular Court as the Judge, having regard to the law and practice existing in England, from time to time directs, shall be heard and determined in a summary way.

55. The Supreme Consular Court may impose the punishment of imprisonment for any term not exceeding 20 years, with or without hard labour, and with or without a fine not exceeding 500*l.* sterling, or the punishment of a fine alone not exceeding 500*l.* sterling.

56. Where any person is convicted of murder, the proper officer of the court, under the direction of the judge, shall, in open court, require the offender to state if he has anything to say why judgment of death should not be recorded against him. If such offender does not allege anything that would be sufficient in law to prevent such judgment if the offence had been committed and the trial had been had in England, the court may order such judgment to be entered on record.

Thereupon the proper officer shall enter judgment of death on record against such offender, as if judgment of death had been actually pronounced on him in open court by the court.

The judge of the Supreme Consular Court shall forthwith send a report of every such judgment, with a copy of the minutes of proceedings and notes of evidence and any observations he thinks fit to make, to one of Her Majesty's Principal Secretaries of State, for his direction as to the punishment to be actually imposed, such actual punishment not to exceed the measure of imprisonment and fine mentioned in Article LV.

57. Where a Provincial Consular Court is held before a resident legal Vice-Consul, crimes and offences above the degree of misdemeanor; tried before the court, and not heard and determined in a summary way, shall be tried with a jury.

Any crime or offence may be tried with a jury where the court so directs.

Subject to the foregoing provisions, such classes of criminal cases as the judge of the Supreme Consular Court, with the advice and assistance of the resident legal Vice-Consul, having regard to the law and practice existing in England, from time to time directs, shall be heard and determined in a summary way.

58. A Provincial Consular Court held before a resident legal Vice-Consul may impose the punishment of imprisonment for any term not exceeding 2 years, with or without hard labour, and with or without a fine not exceeding 100*l.* sterling, or the punishment of a fine alone not exceeding 100*l.* sterling.

59. Where the crime or offence with which any person is charged before a Provincial Consular Court, not held before a resident legal Vice-Consul, is any crime or offence other than assault endangering life, cutting, maiming, arson, or house-breaking, and appears to the court to be such that, if proved, it would be adequately punished by imprisonment, with or without hard labour, for not more than 3 months, or by a fine of not more than 25*l.* sterling, the court shall hear and determine the case in a summary way and without assessors.

In other cases the court shall hear and determine the case on indictment with assessors.

60. A Provincial Consular Court not held before a resident legal Vice-Consul may impose the punishment of imprisonment for any term not exceeding 12 months, with or without hard labour, and with or without a fine of 50*l.* sterling, or the punishment of a fine alone not exceeding 50*l.* sterling.

61. Where the crime or offence with which any person is charged before a Provincial Consular Court appears to the court to be such that, if proved, it would not be adequately punished by such punishment as the court has power to impose, and the accused is not to be sent for trial to England, Bombay, or Malta, the court shall reserve the case to be heard and determined by or under the special authority of the Supreme Consular Court.

The Provincial Consular Court shall take the depositions, and forthwith send them, with a minute of other evidence, if any, and a report on the case, to the Supreme Consular Court.

The Supreme Consular Court shall direct in what mode and where the case shall be heard and determined, and the same shall be so heard and determined accordingly.

62. The Supreme and every other Consular Court in imposing punishments shall have regard, as far as circumstances admit, and subject to the other provisions of this Order, to the punishments imposed by the law of England in like cases.

63. A Consular Court may order any person convicted before it of any crime or offence to pay all or any part of the expenses of his trial and imprisonment or other punishment.

Where it appears to the court that a charge is malicious, or frivolous and vexatious, the court may order all or any part of the expenses of the prosecution to be paid by the prosecutor.

64. Where the circumstances of the case make it just or expedient, the judge of the Supreme Consular Court may report to one of Her Majesty's Principal Secretaries of State recommending a mitigation or remission of any punishment awarded by the Supreme or any other Consular Court; and on such recommendation any such punishment may be mitigated or remitted.

But no such recommendation shall be made with respect to

any punishment awarded by a Provincial Consular Court, except on the recommendation of that court, or on the dissent of the assessors or assessor, if any, from the conviction or from the amount of punishment awarded.

65. The judge of the Supreme Consular Court may, where it seems expedient, by warrant under his hand and the seal of the Supreme Consular Court, cause any offender convicted before any Consular Court and sentenced to imprisonment, to be sent to and imprisoned at any such place in the Ottoman dominions, as one of Her Majesty's Principal Secretaries of State from time to time approves.

Such warrant shall be sufficient authority to any person to whom it is directed, to receive and detain the person therein named, and carry him to and deliver him up at such place according to the warrant.

66. Where any offender convicted before a Consular Court in the Ottoman dominions is sentenced to suffer imprisonment in respect of the crime or offence of which he is convicted, and it is expedient that the sentence be carried into effect within Her Majesty's dominions, the offender may (under the Foreign Jurisdiction Act, section 5) be sent for imprisonment as follows, namely: with respect to native Indian subjects of Her Majesty to Bombay, and with respect to other British subjects, to Malta.

The judge of the Supreme Consular Court may, where it appears so expedient, by warrant under his hand and seal and the seal of the Supreme Consular Court, cause such offender to be sent to Bombay or to Malta (as the case may require), in order that the sentence passed upon him may be there carried into effect accordingly.

Such warrant shall be sufficient authority to any person to whom it is directed, to receive and detain the person therein named, and deliver him up at Bombay or at Malta (as the case may be), according to the warrant.

67. The Supreme Consular Court shall, when required by one of Her Majesty's Principal Secretaries of State, send to the Secretary of State a report of the sentence passed by the judge or law secretary of the court in any case not heard and determined in a summary way, with a copy of the minutes of proceedings and notes of evidence and any observations the court thinks fit to make.

Every Provincial Consular Court shall forthwith send to the Supreme Consular Court a report of the sentence passed by it in every case not heard and determined in a summary way, with a copy of the minutes of proceedings and notes of evidence and any observations the court thinks fit to make. The Supreme Consular Court shall, when required by one of Her Majesty's Principal Secretaries of State, transmit the same, with any observations the court thinks fit to make, to the Secretary of State.

## VI. DEPORTATION OF OFFENDERS.

68. (i.) Where it is shown on oath, to the satisfaction of a Consular Court, that there is reasonable ground to apprehend that any British subject in the Ottoman dominions is about to commit a breach of the public peace, or that the acts or conduct of any such British subject are or is likely to produce or excite to a breach of the public peace, the Court may cause him to be brought before it and require him to give security to the satisfaction of the court, to keep the peace, or for his future good behaviour, as the case may require :

(ii.) Where any British subject is convicted of any crime or offence before a Consular Court, or before a court in the sentence of which one of Her Majesty's Consular Officers concurs, the Consular Court for the district in which he happens to be may require him to give security to the satisfaction of the court for his future good behaviour.

In either of these cases, if the person required to give security fails to do so, the court may order that he be deported from the Ottoman dominions to such place as the court directs.

The court shall not, however, without the consent of the person to be deported, direct the deportation of a native Indian subject of Her Majesty to any other place other than Bombay, or of a native of Malta or of any of its dependencies to any place other than Malta, or of a native of Gibraltar to any place other than Gibraltar, or of a native of any part of Her Majesty's dominions other than Malta, its dependencies, or Gibraltar (the person to be deported not being a native Indian subject of Her Majesty), to any place other than England.

A Provincial Consular Court shall forthwith report to the Supreme Consular Court any order of deportation made by it, and the grounds thereof. The Supreme Consular Court may reverse the order, or may confirm it with or without variation, and in case of confirmation shall direct it to be carried into effect.

The person to be deported shall be detained in custody until a fit opportunity for his deportation occurs.

He shall, as soon as may be practicable (and in the case of a person convicted, either after execution of the sentence or while it is in course of execution), be embarked in custody under the warrant of the Supreme Consular Court on board one of Her Majesty's vessels of war, or, if there is no such vessel available, then on board any British or other fit vessel bound to the place of deportation.

The warrant of the court shall be sufficient authority to the commander or master of such vessel of war, or other vessel, to receive and detain the person to be deported and carry him to and deliver him up at the place of deportation, according to the warrant.



69. The Supreme or other Consular Court may order the person to be deported to pay all or any part of the expenses of his deportation. Subject thereto, the expenses of deportation shall be defrayed as the expenses relating to distressed British subjects are defrayed, or in such other manner as one of Her Majesty's Principal Secretaries of State from time to time directs.

70. The Supreme Consular Court shall forthwith report to one of Her Majesty's Principal Secretaries of State any order of deportation made or confirmed by it and the grounds thereof, and shall also inform Her Majesty's Ambassador, Minister, or *Chargé d'Affaires* at the Sublime Ottoman Porte of the same.

71. If any person deported returns to the Ottoman dominions without the permission of one of Her Majesty's Principal Secretaries of State (which permission the Secretary of State may give) he shall be liable on conviction thereof to punishment (in the discretion of the court before which he is convicted) by imprisonment for not more than one month, with or without hard labour, and with or without a fine of not more than 10*l.* sterling, or by a fine of not more than 20*l.* sterling alone, and also to be forthwith again deported in manner herebefore provided.

#### VII.—REGISTRATION OF RESIDENTS AND OTHERS.

72. Every British subject (except Native Indian subjects of Her Majesty) resident in the Ottoman dominions, being of the age of 21 years or upwards, or being married or a widower or widow, though under that age, shall, in the month of January in every year, register himself or herself in a register to be kept at the Consulate of the Consular district within which he or she resides, subject to this qualification, that the registration of a man shall be deemed to comprise the registration of his wife (unless she is living apart from him), and that the registration of the head of a family, whether male or female, shall be deemed to comprise the registration of all females being relatives of the head of the family (in whatever degree of relationship) living under the same roof with the head of the family at the time of his or her registration.

Every such British subject not so resident arriving at any place within the Ottoman dominions where a Consular Office is maintained, unless borne on the muster-roll of a British vessel there arriving, shall, within one month after his or her arrival, register himself or herself in a register to be kept at the Consular office, but so that no such person shall be required to register himself or herself more than once in any year, reckoned from any 1st day of January.

Any person failing so to register himself or herself, and not excusing his or her failure to the satisfaction of the Consular

Officer, shall not be entitled to be recognized or protected as a British subject in the Ottoman dominions, and shall be liable to a fine of not more than 40s. for each instance of such failure.

73. Any Native Indian subject of Her Majesty, resident in or resorting to the Ottoman dominions, may, if he or she thinks fit, register himself or herself at the respective times and in the manner aforesaid.

Any Native Indian subject of Her Majesty not so registering himself or herself shall not be entitled to sue in any of Her Majesty's Consular Courts in the Ottoman dominions, or to receive the support or protection of any of Her Majesty's Consular Officers with respect to any suit or proceeding to which he or she is a party in a court or before a judicial officer of the Sublime Ottoman Porte, or in a court or before a judicial officer in the Ottoman dominions of any state in amity with Her Majesty; nor shall any of Her Majesty's Consular Officers exercise any jurisdiction for the punishment of any crime or offence committed by any Native Indian subject of Her Majesty unless at the date of the commission of the crime or offence he or she was so registered.

74. Every person shall on every such registration of himself or herself pay a fee of 5s.

75. The Consular Officer shall give to every person so registered a certificate of registration under his hand and Consular seal; and the name of a wife (unless she is living apart from her husband) shall be indorsed on her husband's certificate; and the names and descriptions of females whose registration is comprised in that of the head of the family shall be indorsed on the certificate of the head of the family.

#### VIII.—DEATHS OF BRITISH SUBJECTS NON-RESIDENT.

76. Where a British subject, not having at the time of death his fixed place of abode in the Ottoman dominions, dies in those dominions, the Consular Court within whose district he dies, shall, where the circumstances of the case appear to the Court so to require, forthwith on the death of the deceased, or as soon after as may be, take possession of his personal property within the particular jurisdiction, or put it under the seal of the court (in either case, if the nature of the property or other circumstances so require, making an inventory), and so keep the property until it can be dealt with according to law.

#### IX. OFFENCES AGAINST RELIGION.

77. If any British subject is guilty of publicly deriding, mocking, or insulting any religion established or observed within the Ottoman dominions, or of publicly offering any insult to any religious service, feast, or ceremony established or kept in any part of those dominions, or to any place of worship,

tomb, or sanctuary belonging to any such religion, or to the ministers or professors thereof, or of wilfully committing any act tending to bring any such religion, or its ceremonies, mode of worship, or observances into hatred, ridicule, or contempt, and thereby to provoke a breach of the public peace, he shall be liable (in the discretion of the court) to imprisonment for not more than two years, with or without hard labour, and with or without a fine of not more than 100*l.* sterling, or to a fine of not more than 100*l.* sterling alone.

Notwithstanding anything in this Order, every charge against a British subject of having committed any such offence shall be heard and determined in a summary way, and any Provincial Consular Court shall have power to impose the punishment aforesaid.

Her Majesty's Consular Officers shall take such precautionary measures as seem to them proper and expedient for the prevention of such offences.

#### X. FOREIGNERS. FOREIGN TRIBUNALS.

78. Where a foreigner desires to institute or take any suit or proceeding of a civil nature against a British subject, or a British subject against a foreigner, the Supreme or other Consular Court, according to its respective jurisdiction, shall entertain the same, and shall hear and determine it, either by the judge or proper Consular Officer sitting alone, or, if all parties desire, or the court thinks fit to direct, a trial with a jury, then by such judge or officer with a jury, but in all other respects according to the ordinary course of the court:

Provided that the foreigner first obtains and files in the court the consent in writing of the competent local authority on behalf of the Sublime Ottoman Porte or that of the Consul of his own nation (as the case may be) to his submitting, and does submit, to the jurisdiction of the court, and if required, gives security to the satisfaction of the court, by deposit or otherwise, to pay fees, damages, costs, and expenses, and abide by and perform such decision as may be given by the Supreme or other Consular Court originally or on appeal (as the case may require).

79. Where it is shown to a Consular Court that the attendance of a British subject to give evidence, or for any other purpose connected with the administration of justice, is required in a court or before a judicial officer of the Sublime Ottoman Porte, or in a court or before a judicial officer in the Ottoman dominions of any State in amity with Her Majesty, the Consular Court may, in cases and under circumstances which would require the attendance of such British subject before one of Her Majesty's Consular Courts in the Ottoman dominions, and if it seems to the Consular Court just and expedient so to do, make

an order for the attendance of such British subject in such court or before such judicial officer and for such purpose as aforesaid,—but so that a Provincial Consular Court shall not have power to make an order for such attendance of a British subject at any place beyond the particular jurisdiction of the court.

Any British subject, duly served with such an order and with reasonable notice of the time and place at which his attendance is required, failing to attend accordingly and not excusing his failure to the satisfaction of the court making the order, shall be liable to a fine of not more than 100*l.* sterling, or to imprisonment for not more than one month, in the discretion of the court.

## XI.—APPEAL TO SUPREME CONSULAR COURT.

### I.—IN CIVIL CASES.

80. Where any decision of a Provincial Consular Court, sitting with or without assessors, is given in a civil case in respect of a sum or matter at issue of the amount or value of 50*l.* sterling or upwards,—or determines, directly or indirectly, any claim or question respecting property or any civil right of the amount or value of 50*l.* sterling or upwards,—any party aggrieved by the decision may apply to the Provincial Consular Court for leave to appeal to the Supreme Consular Court, and shall be entitled to leave on the terms prescribed by the rules made under this Order and subject to any restrictions and exceptions therein contained.

In any other case the Provincial Consular Court may, if it seems just and expedient, give leave to appeal on like terms.

In any case the Supreme Consular Court may give leave to appeal on such terms as seem just.

### II.—IN CRIMINAL CASES.

81. Where any person is convicted otherwise than in a summary way of a crime or offence, the court or Consular Officer before whom he is tried may reserve for the consideration of the Supreme Consular Court any question of law arising on the trial.

The court or officer shall then state a special case setting out the question reserved, with the facts and circumstances on which it arose, and shall send the case to the Supreme Consular Court.

82. Where any person is convicted in a summary way of a crime or offence, and is dissatisfied with the conviction as being erroneous in point of law, the court or Consular Officer before whom he is tried shall, on his application (unless the application appears merely frivolous, in which case the court or officer may refuse the application), state a special case setting out the



facts and the grounds of the conviction for the opinion of the Supreme Consular Court, and send it to that court.

83. Where a special case is stated, the court or Consular Officer shall, as seems fit, either postpone judgment on the conviction, or respite execution of the judgment, and either commit the person convicted to prison, or take proper security for him to appear and receive judgment or to render himself in execution (as the case may require) at an appointed time and place.

84. The Supreme Consular Court shall hear and finally determine the matter, and thereupon shall reverse, affirm, or amend any judgment given at the trial,—or set aside such judgment, and order an entry to be made in the minutes of proceedings that in the judgment of the Supreme Consular Court the person ought not to have been convicted,—or arrest the judgment,—or order judgment to be given at a subsequent sitting of the court or officer by whom the case is stated,—or make such other order as justice requires,—and shall also give all necessary and proper consequential directions.

85. The judgment of the Supreme Consular Court shall be delivered in open court after the public hearing of any argument offered on behalf of the prosecution or of the person convicted.

86. Before delivering judgment, the Supreme Consular Court may, if necessary, cause the special case to be amended by the court or Consular Officer by whom it was stated.

## XII.—APPEAL TO HER MAJESTY IN COUNCIL.

87. Where any decision of the Supreme Consular Court is given in a civil case in respect of a sum or matter at issue of the amount or value of 500*l.* sterling or upwards, or determines directly or indirectly any claim or question respecting property or any civil right of the amount or value of 500*l.* sterling or upwards; any party aggrieved by the decision may, within 15 days after the same is given, apply by motion to the Supreme Consular Court for leave to appeal to Her Majesty in Council.

If leave to appeal is applied for by a party adjudged to pay money or perform a duty, the Supreme Consular Court shall direct either that the decision appealed from be carried into execution, or that the execution thereof be suspended, pending the appeal, as the court considers to be in accordance with substantial justice.

If the court directs the decision to be carried into execution, the party in whose favour it is given shall, before the execution of it, give security to the satisfaction of the court for the due performance of such order as Her Majesty in Council may think fit to make.

If the court directs the execution of the decision to be suspended pending an appeal, the party against whom the decision is given shall, before any order for suspension of execution, give security to the satisfaction of the court for the due performance of such order as Her Majesty in Council may think fit to make.

In all cases security shall also be given by the appellant to the satisfaction of the court to an amount not exceeding 500*l.* sterling for the prosecution of the appeal, and for payment of all such costs as may be awarded to any respondent by Her Majesty in Council, or by the Lords of the Judicial Committee of Her Majesty's Privy Council.

If the last-mentioned security is given within one month from the filing of the motion-paper for leave to appeal, then, and not otherwise, the Supreme Consular Court shall give leave to appeal, and the appellant shall be at liberty to prefer and prosecute his appeal to Her Majesty in Council according to the rules for the time being in force respecting appeals to Her Majesty in Council from Her Colonies, or such other rules as Her Majesty in Council from time to time thinks fit to make concerning appeals from the Supreme Consular Court.

In any case other than the cases hereinbefore described, the Supreme Consular Court if it considers it just or expedient to do so, may give leave to appeal on the terms and in the manner aforesaid.

88. This Order shall not affect the right of Her Majesty at any time, on the humble petition of a party aggrieved by a decision of the Supreme Consular Court, to admit his appeal thereon on such terms and in such manner as Her Majesty in Council may think fit, and to deal with the decision appealed from in such manner as may be just.

### XIII.—RULES.

89. The judge of the Supreme Consular Court may, notwithstanding anything herein contained, at any time after the passing of this Order, and from time to time, frame rules for the effectual execution of this Order, and for the observance of the Capitulations, Articles of Peace, and Treaties between Her Majesty and the Sublime Ottoman Porte, and for the maintenance of order among British subjects in the Ottoman dominions, and may thereby impose reasonable penalties; and also rules for the regulation of procedure and pleading, forms of writs, and other proceedings, expenses of witnesses and prosecutions, costs and fees, in civil and criminal cases, in the Supreme Consular Court, and other Consular Courts, and the regulation of appeals to the Supreme Consular Court from the other Consular Courts.

The rules affecting the conduct of civil suits shall be so

framed as to secure, as far as may be, that cases shall be decided on their merits according to substantial justice without excessive regard to technicalities of pleading or procedure and without unnecessary delay.

No rules shall take effect unless and until approved by one of Her Majesty's Principal Secretaries of State.

The rules made under the Order of the 9th day of January, 1863,\* shall remain in force until rules made under the present Order take effect; and references to the Order of the 9th day of January, 1863, in the rules made thereunder shall be construed as referring to the corresponding provisions of the present Order.

90. A copy of the rules for the time being in force shall be exhibited in some conspicuous place in each Consular Court and Consulate in the Ottoman dominions. Printed copies shall be provided and sold at such reasonable price as the judge of the Supreme Consular Court from time to time directs.

No penalty shall be enforced in any court for the breach of any rule, until the rule has been so exhibited in the court for one month.

91. For the purpose of convicting any person committing a breach of any rule, and for all other purposes of law, a printed copy of the rule, purporting to be certified under the hand of the judge of the Supreme Consular Court and the seal of the court or under the hand and Consular seal of one of Her Majesty's Consular Officers, shall be taken as conclusive evidence of the same, and no proof of the handwriting or seal purporting to certify the same shall be required.

#### XIV.—MISCELLANEOUS PROVISIONS.

92. In every case, civil or criminal, heard in a Consular Court, proper minutes of the proceedings shall be drawn up, and shall be signed by the judge or Consular Officer before whom the proceedings are taken, and sealed with the seal of the court, and shall, where assessors are present, be open for their inspection and for their signature, if concurred in by them.

The minutes, with depositions of witnesses and notes of evidence taken at the trial by the judge or Consular Officer, shall be preserved in the public office of the court.

93. In a civil case, a Consular Court may order such costs, or costs, charges, and expenses, as to the court seem reasonable, to be paid by any party to the proceeding, or out of any fund to which the proceeding relates.

94. A Consular Court, either of its own motion, or, in civil cases, on the application of any party to any suit or proceeding

\* Rules, January 23, 1863. Laid before Parliament, with Order in Council and Correspondence respecting the Administration of Justice in the Ottoman Empire, 1863.

or reference, may summon as a witness any British subject in the Ottoman dominions, but so that a Provincial Consular Court shall have power so to summon British subjects in its own district only.

Any British subject, duly served with such a summons and with reasonable notice of the time and place at which his attendance is required, failing to attend accordingly, and not excusing his failure to the satisfaction of the court, shall, over and above any other liability to which he may be subject, be liable to a fine of not more than 100*l.* sterling, or to imprisonment for not more than one month in the discretion of the court.

95. In civil cases a Consular Court may, where the circumstances appear to justify it, order that the expenses of a witness, on his appearing to give evidence, shall be defrayed by the parties, or any of them.

96. Any person appearing before a Consular Court to give evidence in any case, civil or criminal, may be examined or give evidence on oath, in the form or with the ceremony that he declares to be binding on his conscience.

97. Any British subject wilfully giving false evidence in any suit or proceeding, civil or criminal, or on any reference, shall be deemed guilty of wilful and corrupt perjury.

98. All costs and all charges and expenses of witnesses, prosecutions, punishments, and deportations, and other charges and expenses, and all fees, fines, forfeitures, and pecuniary penalties payable under this Order, may be levied by distress and seizure, and sale of ships, goods, and lands; and no bill of sale, or mortgage, or transfer of property, made with a view to security in regard to crimes or offences committed, or to be committed, shall be of any avail to defeat the provisions of this Order.

99. All fees, fines, forfeitures, and pecuniary penalties levied under this Order shall be carried to the public account, and be applied in diminution of the public expenditure on account of Her Majesty's Consular service in the Ottoman dominions.

100. A copy of this order shall be exhibited in each Consular Court and Consulate in the Ottoman dominions. Printed copies shall be provided and sold at such reasonable price as the judge of the Supreme Consular Court directs.

101. Any suit or proceeding shall not be commenced in a Consular Court against any person for anything done or omitted under this order, or any rule made under it, unless notice in writing is given by the intending plaintiff or prosecutor to the intended defendant one month at least before the commencement of the suit or proceeding, nor unless it is commenced within 3 months next after the act or omission complained of, or in case of a continuation of damage within 3 months next after the doing of such damage has ceased.



The plaintiff in any such suit shall not succeed if tender of sufficient amends is made by the defendant before the commencement thereof; and if no tender is made, the defendant may, by leave of the court, at any time pay into court such sum of money as he thinks fit, whereupon such proceeding and order shall be had and made in and by the Court as may be had and made on the payment of money into court in an ordinary suit.

#### XV. JOINT JURISDICTION.

102. In any case in the decision of which, under the Capitulations, Articles of Peace, and Treaties with the Sublime Ottoman Porte, any of Her Majesty's Consuls may or ought to concur, the judge of the Supreme Consular Court, or a Consular Officer exercising jurisdiction under this Order shall exclusively act on the part and behalf of Her Majesty.

And the Right Honourable the Earl Russell, and the Right Honourable Edward Cardwell, and the Right Honourable Sir Charles Wood, 3 of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty are to give the necessary directions herein as to them may respectively appertain.

ARTHUR HELPS.

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BRITISH ORDER IN COUNCIL, *enforcing the Orders in Council of January 6, 1862,\* and March 21, 1862,† relative to the exercise of power and jurisdiction over British Subjects by Her Majesty's Consul in the Ottoman Dominions.* Windsor, November 30, 1864.

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*At the Court at Windsor, the 30th day of November, 1864.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS by the Act of the Session of Parliament of the 6th and 7th years of Her Majesty's reign (chapter 94 ‡), "To remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual," it was enacted (among other things) that it was and should be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty then had, or might at any time thereafter have, within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power and jurisdiction by the cession or conquest of territory:

And whereas Her Majesty has had, and now has, power

\* See Vol. 11. Page 572.

+ See Vol. 11. Page 568.

‡ See Vol. 6. Page 500.

and jurisdiction in the dominions of the Sublime Ottoman Porte; and by an Order in Council bearing date the 27th day of August, 1860,\* Her Majesty was pleased by and with the advice of Her Privy Council, to make provision for the exercise of such last-mentioned power and jurisdiction :

And whereas by another Order in Council bearing date the 6th day of January, 1862,† Her Majesty, by and with the advice aforesaid, was pleased to order that all Rules, Orders, and Regulations, so made, and to be made, as therein mentioned, by a certain Commission established under the 15th and 16th Articles of the General Treaty of Peace signed at Paris on the 30th day of March, 1856,‡ should be binding and in force, and should have the force and effect of law upon and against all British subjects and other persons subject to the jurisdiction of Her Majesty's Consuls, Vice Consuls, and Consular Agents, within the dominions of the Ottoman Porte :

And whereas by another Order in Council, bearing date the 21st day of March, 1862,§ Her Majesty, by and with the advice aforesaid was further pleased to order, that all Rules, Orders, and Regulations concerning the navigation of the river Danube, or concerning the conduct and government of masters, seamen, or others navigating the same, or concerning the imposition, levying, or payment of tolls or duties to be taken or levied in respect of the navigation of the said river, or concerning the imposition and enforcing of penalties for the breach of such Rules, Orders, and Regulations, respectively, or any of them, which had been at any time theretofore made and promulgated by the said Commission, should from and after the date of that Order (except so far as the same might have been already duly confirmed by the said Order of the 6th day of January, 1862, so as to make the same binding from the date thereof) be binding and in full force, and should have the force and effect of law, upon and against all British subjects, and other persons subject to the jurisdiction of Her Majesty's Consuls, Vice-Consuls, and Consular Agents, within the dominions of the Sublime Ottoman Porte :

And whereas, by both such two last-mentioned Orders in Council, Her Majesty was further pleased to direct that, for the purpose of enforcing and carrying the same into effect, Her Majesty's Consuls, Vice-Consuls, and Consular Agents, exercising jurisdiction over British subjects within the dominions of the Sublime Ottoman Porte, should have, possess, and enjoy all and every the power, jurisdiction, authorities, rights, privileges, and immunities, which, in and by the said Order in Council bearing date the 27th day of August, 1860, were or was vested in, or belonged to, or were or was exercisable by, the judge of

\* See Vol. 11. Page 538.

† See Vol. 10. Page 533.

‡ See Vol. 11. Page 568.

§ See Vol. 11. Page 572.

the Supreme Consular Court of Constantinople, within the dominions of the Sublime Ottoman Porte: and that all the clauses, articles, and provisions of the said Order in Council of the 27th day of August, 1860, so far as the same respectively were then in force and unrepealed, and so far as the same, or any of them, were applicable to such Rules, Orders and Regulations as aforesaid, should apply and extend to the said Consuls, Vice-Consuls, and Consular Agents of Her Majesty, to all acts, matters, and things whatsoever, done by, to, or in respect of them the said Consuls, Vice-Consuls and Consular Agents respectively, under or by virtue of the said respective Orders of the 6th day of January, 1862, and the 21st day of March, 1862:

And whereas, since the dates of the said two last-mentioned Orders, the said Order in Council of the 27th day of August, 1860, has been repealed; and the exercise of jurisdiction by Her Majesty's Consular Courts and judges in the dominions of the Ottoman Porte is now regulated by another Order of Her Majesty in Council bearing even date with these presents.

Now, therefore, in pursuance of the above recited Act of Parliament, and in execution of the powers thereby vested in Her Majesty in Council, Her Majesty is pleased, by and with the advice of Her Privy Council, to Order and declare, and it is hereby ordered and declared as follows:

From and after the date of this present Order, the said two several Orders in Council, of the 6th day of January, 1862, and the 21st day of March, 1862, shall respectively be read and take effect, and be enforced and carried into execution by the Consuls, Vice-Consuls, and Consular Agents of Her Majesty, in the dominions of the Ottoman Porte, in such and the same manner, in all respects, as if the said two several Orders, and all the provisions therein contained, were herein expressly repeated and re-enacted, with the substitution only of a reference to the said Order in Council bearing even date herewith (whereby the exercise of the said Consular jurisdiction is now regulated) instead of the said repealed Order of the 27th day of August, 1860, in all parts and places of the said two several Orders respectively in which the said Order of the 27th day of August, 1860, is in any way mentioned or referred to.

And the Right Honourable the Earl Russell, the Right Honourable Edward Cardwell, and the Right Honourable Sir Charles Wood, 3 of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

ARTHUR HELPS.

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**BRITISH TREASURY WARRANT, fixing the Rates of Postage on Patterns or Samples of Merchandize of no intrinsic value, transmitted to any places in Turkey, Syria, or Egypt, at which France maintains Post Offices. December 5, 1864.**

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty, chapter 96,\* for the regulation of the duties of postage, certain scales of weight and rates of postage were fixed and made chargeable and payable upon, for, or in respect of letters, newspapers, parliamentary proceedings, and printed papers transmitted and forwarded by the post, and various regulations were made for facilitating the transmission of such letters and papers by the post. And by the same Act powers were given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of postage therein mentioned.

And whereas further powers were given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her Majesty, chapter 85,† "For giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office."

And whereas it is expedient to authorize the transmission by the post between the United Kingdom and the places hereinafter mentioned of certain packets, and for that purpose to make certain regulations in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore-recited Acts of Parliament, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the statute in that case made and provided, order and direct as follows, that is to say:

1. All packets consisting of patterns or samples of merchandize of no intrinsic value, posted in any part of the United Kingdom addressed to any of the places in *Turkey, Syria, or Egypt*, at which France maintains Post Offices, may be transmitted by the post from the United Kingdom via *France*, to any of the places hereinbefore mentioned (the sea conveyance in the Mediterranean being by French packet-boat) subject to the several rates of postage hereinafter mentioned (that is to say):

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid an uniform single rate of postage of 4*d.*;

And on every such packet, if exceeding 4 ounces in weight,

\* See Vol. 5. Page 245.

† See Vol. 8. Page 247.



there shall be charged, taken, and paid progressive and additional rates of postage as follows (that is to say) :

On every such packet, if exceeding 4 ounces, and not exceeding  $\frac{1}{2}$  of a pound in weight, there shall be charged, taken, and paid 2 rates of postage;

And on every such packet, if exceeding  $\frac{1}{2}$  of a pound, and not exceeding 1 pound in weight, there shall be charged, taken, and paid 4 rates of postage;

And on every such packet, if exceeding 1 pound, and not exceeding 1 pound and  $\frac{1}{2}$  of another pound in weight, there shall be charged, taken, and paid 6 rates of postage;

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of 1 pound and  $\frac{1}{2}$  of another pound, there shall be charged, taken, and paid 2 additional rates of postage; and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

2. Every packet which shall be transmitted by the post under the authority of this Warrant shall be so transmitted in conformity with, and under and subject to, the several orders, directions, regulations, and conditions hereinafter contained (that is to say) :

3. No such packet which, in length, or breadth, or depth, shall exceed the dimensions of 2 feet shall be transmitted by the post under the provisions of this Warrant.

4. No pattern or sample being of any intrinsic value, or being an article or thing of a saleable nature, or having a value of its own apart from its mere use as a pattern or sample, shall be transmitted by the post under the provisions of this Warrant.

5. There shall be no enclosure, sealed or otherwise closed against inspection, nor any other enclosure not authorized by this Warrant, sent in or with any such packet.

6. There shall be no writing in or upon any such packet, or on the cover thereof, except the address of the person for whom it is intended, the address of the sender thereof, a trade mark, and numbers and prices.

7. All such packets shall be sent in covers open at the ends, so as to be easy of examination. Nevertheless, samples of seeds, drugs, and such other articles and things as cannot be sent in open covers, may be enclosed in bags of linen or of other material, but bags so closed that they cannot be readily opened, even although they be transparent, shall not be used for that purpose.

8. Every packet transmitted by the post under this Warrant,

and posted in the United Kingdom, shall be put into the Post Office at such hours in the day, and under all such regulations, as the Postmaster-General may appoint.

9. The postage of all such packets as aforesaid, posted in the United Kingdom, shall in every case be paid at the time of the same being posted, either in money or by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

10. If any packet authorized to be transmitted by the post under the provisions of this Warrant be sent otherwise than in conformity with the conditions and regulations established by or under the authority of this Warrant, the same shall and may be detained and opened, and, at the option of the Postmaster-General, shall be either returned or be given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such packet on being so returned, given up, or forwarded, shall be chargeable with any rates of postage the Postmaster-General may think fit, not exceeding the rates that would be chargeable on such packet as an unpaid letter.

11. In order to prevent any obstacles to the due and regular transmission of letters by the post, any officer of the Post Office may delay the transmission of any packet, posted or forwarded by the post under the provisions of this Warrant, for the space of 24 hours after the time at which the same ought to be dispatched in due course of the post, whenever it may be necessary so to do, or (at his option) until the dispatch of the mail next after that by which the same ought in due course of the post to be forwarded by him.

12. In all cases in which any question shall hereafter arise, whether any packet, or any pattern or sample contained therein, transmitted under or by virtue of this Warrant, is entitled to the privileges of this Warrant, and to be so transmitted within the intent and meaning thereof, such question shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final and conclusive upon all parties.

13. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act, passed in the 4th year of the reign of Her Majesty, cap. 96.

14. The Commissioners for the time being of Her Majesty's Treasury may by Warrant under their hands duly made at any time hereafter, alter, repeal, revoke, or modify any of the rates of postage hereby fixed or any of the regulations hereby

made, and may make and establish any new or other rates or regulations in lieu thereof, and from time to time appoint at what time the rates that may be payable are to be paid.

15. This Warrant shall come into operation on the 1st day of January, 1865.

Whitehall Treasury Chambers, December 5, 1864.

E. H. KNATCHBULL-HUGESSEN.

LUKE WHITE.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters transmitted between Alexandria and Constantinople.*  
December 12, 1864.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of her present Majesty, intituled "An Act for the regulation of the duties of postage,"\* power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage, payable by law on the transmission by the post, of *Foreign or Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury, by another Act passed in the 11th year of the reign of her present Majesty, intituled "An Act for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office."†

And whereas it is expedient that regulations should be made for the transmission by the post of the letters hereinafter mentioned:

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers vested in us, in and by the said recited Acts, or either of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners, by the authority of the Statute in that case made and provided, order and direct as follows:

1. On every letter not exceeding  $\frac{1}{2}$  of an ounce in weight, posted in *Alexandria* addressed to *Constantinople*, or posted in *Constantinople* addressed to *Alexandria*, and transmitted by the post between *Alexandria* and *Constantinople*, by British or by *French* packet boat, there shall be charged and taken an uniform rate of postage of 4d.

2. All such letters so transmitted as hereinbefore mentioned,

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

if exceeding  $\frac{1}{2}$  of an ounce in weight, shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned, that is to say :

On every such letter, if exceeding  $\frac{1}{2}$  of an ounce, and not exceeding 1 ounce in weight, there shall be charged, taken, and paid 2 rates of postage ;

And on every such letter, if exceeding 1 ounce, and not exceeding  $1\frac{1}{2}$  ounce in weight, 3 rates of postage.

And on every such letter, if exceeding  $1\frac{1}{2}$  ounce, and not exceeding 2 ounces in weight, 4 rates of postage.

And for every additional  $\frac{1}{2}$  of an ounce in weight of any such letter above the weight of 2 ounces, there shall be charged, taken, and paid, 1 additional rate of postage ; and every fractional part of such additional  $\frac{1}{2}$  of an ounce in weight shall be charged as an additional  $\frac{1}{2}$  of an ounce in weight ; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding  $\frac{1}{2}$  of an ounce in weight.

3. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions or privileges granted by or under the said recited Acts, or either of them, or by or under any other Acts of Parliament relating to the Post Office, or any of the privileges which officers, seamen, and soldiers, employed in Her Majesty's Service, are by law entitled to, of sending and receiving by the post letters subject to the regulations and restrictions in respect of the same.

4. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said recited Act passed in the 4th year of the reign of Her Majesty.

5. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands duly made, at any time hereafter alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which may be payable are to be paid.

6. This Warrant shall come into operation on the 1st day of January, 1865.

Whitehall Treasury Chambers, the 12th day of December, 1864.

E. H. KNATCHBULL-HUGESSEN.  
LUKE WHITE.



**BRITISH ORDER IN COUNCIL, for the Apprehending and Delivering up of Seamen Deserters from the Merchant Vessels of Turkey in British Ports. Windsor, May 18, 1865.**

*At the Court at Windsor, the 18th day of May, 1865.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS, by the Foreign Deserters' Act, 1852,\* it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering and apprehending seamen who desert from British merchant ships, in the territories of any foreign power, Her Majesty may by Order in Council, stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to a subject of such power when within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications (if any) as may be deemed expedient:

And whereas it has been made to appear to Her Majesty, that due facilities will be given for recovering and apprehending seamen, not being Turkish subjects, who desert from British merchant ships in the territories of the Sublime Porte;

Now, therefore, Her Majesty, by virtue of the powers vested in her by the said Foreign Deserters' Act, 1852, and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared that from and after the publication hereof in the London Gazette, seamen not being slaves, and not being British subjects, who desert from merchant ships belonging to subjects of the Sublime Porte within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships: provided always, that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury, the Secretary of State for the Colonies, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

ARTHUR HELPS.

\* See Vol. 9. Page 347.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters, Newspapers, and other printed papers transmitted between Malta, or Gibraltar and Constantinople, or between Constantinople and the East Indies, China, Hongkong, or Australia, viâ Egypt; and also on letters between Alexandria and Constantinople.\** September 2, 1865.

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her Majesty,† for the regulation of the duties of postage, power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage, or inland postage, payable by law on the transmission by the post of *Foreign or Colonial* letters or newspapers or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time by Warrant as aforesaid, to alter or repeal any such altered rates, and to make and establish any new or other rates in lieu thereof.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act passed in the 11th year of the reign of Her Majesty,‡ for giving further facilities for the transmission of letters by post, and for the regulating the duties of postage thereon, and for other purposes relating to the Post Office.

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury, by another Act passed in the 18th year of the reign of Her Majesty,§ for amending the laws relating to the stamp duties on newspapers, and for providing for the transmission by the post of printed periodical publications.

And whereas it is expedient that regulations and rates of postage should be made and fixed for the transmission by the post of the letters, printed newspapers, and other printed papers hereinafter respectively mentioned:

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said herebefore-recited Acts of Parliament, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners, by the authority of the statute in that case made and provided, order, and direct as follows:

1. That on every letter not exceeding  $\frac{1}{4}$  of an ounce in weight, posted in *Malta*, or *Gibraltar* addressed to *Constantinople*, or posted in *Constantinople* addressed to *Malta* or *Gibraltar*, and transmitted by the post between *Malta* or *Gibraltar*, and Con-

\* Repealed, in part, by Warrant dated July 29, 1869.

† See Vol. 5. Page 248.

‡ See Vol. 8. Page 247.

§ See Vol. 10. Page 320.

*stantinople* viâ *Egypt* (the sea conveyance being by Egyptian packet boat, or partly by Egyptian packet boat and partly by British packet boat) there shall be charged and taken a rate of postage of 4*d.*, if such respective letters be prepaid, and if such respective letters be not prepaid, a rate of postage of 6*d.*

2. That on every letter transmitted as in this Warrant is before mentioned, exceeding  $\frac{1}{4}$  of an ounce in weight, there shall be charged, taken and paid, progressive and additional rates of postage as follows; that is to say:

On every such letter, if exceeding  $\frac{1}{4}$  of an ounce and not exceeding  $\frac{1}{2}$  of an ounce in weight, 2 rates of postage;

And on every such letter, if exceeding  $\frac{1}{2}$  of an ounce, and not exceeding  $\frac{3}{4}$  of an ounce in weight, 3 rates of postage;

And on every such letter, if exceeding  $\frac{3}{4}$  of an ounce and not exceeding 1 ounce in weight 4 rates of postage;

And for every additional  $\frac{1}{4}$  of an ounce in weight of any such letter above the weight of 1 ounce, there shall be charged, taken, and paid 1 additional rate of postage, and every fractional part of such additional  $\frac{1}{4}$  of an ounce shall be charged as an additional  $\frac{1}{4}$  of an ounce in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding  $\frac{1}{4}$  of an ounce in weight.

3. That on every letter exceeding  $\frac{1}{2}$  an ounce in weight, posted in *Alexandria* addressed to *Constantinople*, or posted in *Constantinople* addressed to *Alexandria*, and transmitted by the post between *Alexandria* and *Constantinople* (the sea conveyance being by Egyptian packet boat), there shall be charged and taken a rate of postage of 4*d.*

4. That on every letter, not exceeding  $\frac{1}{2}$  of an ounce in weight, posted in *Constantinople* addressed to the *East Indies*, *China*, *Hong Kong*, or *Australia*, or posted in the *East Indies*, *China*, *Hong Kong*, or *Australia*, addressed to *Constantinople* and transmitted by the post between *Constantinople* and the *East Indies*, *China*, *Hong Kong*, or *Australia*, viâ *Egypt* (the sea conveyance being by Egyptian packet boat, or partly by Egyptian packet boat and partly by British packet boat), there shall be charged and taken a rate of postage of 1*s.* 5*d.*

5. That on every letter so transmitted by the post as in the 3rd and 4th clauses of this Warrant is mentioned, exceeding  $\frac{1}{2}$  an ounce in weight, there shall be charged, taken, and paid, progressive and additional rates of postage, as follows, that is to say:

On every such letter exceeding  $\frac{1}{2}$  an ounce in weight, and not exceeding 1 ounce in weight 2 rates of postage:

On every such letter exceeding 1 ounce and not exceeding 2 ounces in weight, 4 rates of postage;

On every such letter exceeding 2 ounces and not exceeding 3 ounces in weight, 6 rates of postage;

And on every such letter exceeding 3 ounces and not exceeding 4 ounces in weight, 8 rates of postage;

And for every ounce in weight above the weight of 4 ounces there shall be charged and taken 2 additional rates of postage, and every fraction of an ounce above the weight of 4 ounces shall be charged as 1 additional ounce, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant if not exceeding  $\frac{1}{2}$  an ounce in weight.

6. That on every packet consisting of printed newspapers, or other printed papers not exceeding 2 ounces in weight, posted in *Constantinople* addressed to *Gibraltar, Malta, the East Indies, China, Hong Kong, or Australia*, or posted in *Gibraltar, Malta, the East Indies, China, Hong Kong, or Australia*, addressed to *Constantinople* and transmitted by the post between *Constantinople* and *Gibraltar, Malta, the East Indies, China, Hong Kong, or Australia* viâ *Egypt* (the sea conveyance being by Egyptian packet boat, or partly by Egyptian packet boat and partly by British packet boat), there shall be charged and taken a rate of postage of 1*d*.

7. That on every such packet consisting of printed newspapers or other printed papers so transmitted by the post as in this Warrant is mentioned, exceeding 2 ounces in weight, there shall be charged, taken, and paid, progressive and additional rates of postage, as follows, that is to say:

On every such packet if exceeding 2 ounces in weight and not exceeding 4 ounces in weight, 2 rates of postage;

And on every such packet if exceeding 4 ounces and not exceeding  $\frac{1}{2}$  of a pound in weight, 4 rates of postage;

And on every such packet if exceeding  $\frac{1}{2}$  of a pound and not exceeding 1 pound in weight, 8 rates of postage;

And on every such packet if exceeding 1 pound and not exceeding  $1\frac{1}{2}$  pound in weight, 12 rates of postage;

And on every such packet if exceeding  $1\frac{1}{2}$  pound and not exceeding 2 pounds in weight, 16 rates of postage;

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of 2 pounds there shall be charged, taken, and paid, 4 additional rates of postage, and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 2 ounces in weight.

8. And we do further order and direct that every packet of



printed newspapers, or other printed papers which shall be transmitted by the post under the provisions of this Warrant shall be so transmitted in conformity with and under and subject to the several regulations, orders, directions, and conditions hereinafter contained, that is to say:

Every packet shall be sent open at the ends or sides, and either without a cover or in a cover or envelope open at the ends or sides; and there shall be no word or communication printed on the contents of any such packet after the publication thereof, or upon any cover thereof, nor any writing or marks upon any such contents or the cover thereof, other than and except the name and address of the person to whom the same is sent. But the name or title of any newspaper, and the name and address of the publisher, newsvendor, or agent by whom the same is sent, may be printed on the cover thereof;

No packet shall exceed 2 feet in length or 1 foot in width or depth;

No packet shall contain any letter or communication, nor any enclosure other than printed newspapers or other printed papers;

Upon every packet the postage thereof shall be paid at the time of the same being posted.

9. That if any packet of printed newspapers or other printed papers transmitted by the post under the provisions of this Warrant, be sent by the post otherwise than in conformity with the conditions and regulations established by or under the authority of this Warrant, the same shall and may be detained and opened, and, at the option of the Postmaster-General, shall be either returned or given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination; and any such packet, on being so returned, given up, or forwarded, shall be chargeable with any rates of postage the Postmaster-General may think fit, not exceeding the rates that would be chargeable on such packet as an unpaid letter.

10. That the term "printed newspapers" used in this Warrant shall include all printed newspapers, whether British, colonial, or foreign, and whether the foreign newspapers be printed in a foreign language or not; and that the term "printed papers" used in this Warrant shall mean and include books (stitched or bound), pamphlets, Parliamentary proceedings, proceedings of the Colonial Legislatures, periodical works, prices current, commercial lists, courses of exchange, sheets of music, prints, or printed or engraved maps, catalogues, prospectuses, announcements, and notices of every kind, whether British, colonial, or foreign, and whether printed, engraved, or lithographed; and shall also include any binding, mounting or covering (whether loose or attached) of, or upon, or belonging to any printed book or publication, or any portion thereof, or of or

belonging to any printed paper, and any cases or rollers of prints or printed or engraved maps, book-markers, pencils, pens, or other articles usually appertaining to any such book, publication, or printed paper, or necessary for its safe transmission; but no packet consisting of or containing any photographs, drawings, prints, or other contents which may be obviously of an obscene character shall be transmitted by the post under the provisions of this Warrant; and the term "East Indies" used in this Warrant shall be construed to mean every port in Her Majesty's dominions in *Asia* (*China, Java, Borneo, and Australia* excepted); and that the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her Majesty.

11. That it shall be lawful for the Commissioners for the time being of Her Majesty's Treasury, by warrant under their hands duly made, at any time hereafter to alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders, regulations, conditions, and restrictions hereby made, and to make and establish any new or other rates, orders, regulations, conditions and restrictions in lieu thereof, and from time to time to appoint at what time the rates which may be payable are to be paid.

12. This Warrant shall come into operation on the 1st day of October, 1865.

Whitehall Treasury Chambers, the 2nd day of September, 1865.

LUKE WHITE.

W. P. ADAM.

PUBLIC ACT of the *European Commission of the Danube, relative to the Navigation of the Mouths of the Danube. Signed at Galatz, November 2, 1865.*

(Translation.)

AN European Commission having been instituted by Article XVI of the Treaty of Paris of 30th March, 1856,\* in order to put the part of the Danube lying below Isaktcha, its mouths, and the neighbouring parts of the sea, in the best possible conditions of navigability:

And the said Commission-acting in virtue of this mandate, having succeeded, after 9 years' work, in realizing important improvements in the system of navigation—notably, by the construction of two piers at the mouth of the Sulina branch, which have had the effect of admitting into this embouchure vessels of a large draught of water—by the execution of works of correction and cleansing in the course of the same branch—by raising wrecks, and establishing a system of buoys—by the erection of a lighthouse at the mouth of the St. George—by the institution of a regular lifeboat service, and by the creation of

\* See Vol. 10. Page 533.

a seaman's hospital at Sulina—lastly, by the provisional regulation of the different services connected with the navigation between Isaktcha and the sea:

The Powers who signed the said Treaty concluded at Paris on the 30th March, 1856, desiring to make known that, in thus accomplishing an essential part of its task, the European Commission has acted in conformity with their intentions, and wishing to determine by a public Act, the rights and obligations which the new state of things established on the Lower Danube has created for the different parties interested, and particularly for all the flags navigating the river, have named for their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, John Stokes, Esq., Major in the corps of Royal Engineers, decorated with the Imperial Order of the Medjidié of the Fourth Class, &c.

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Alfred Chevalier de Kremer, his Consul for the Course of the Lower Danube, decorated with the Imperial Order of the Medjidié of the Fourth Class.

His Majesty the Emperor of the French, the Sieur Edward Engelhardt, his Consul of the First Class, Knight of the Imperial Order of the Legion of Honour.

His Majesty the King of Italy, the Sieur Hannibal Chevalier Strambio, his Political Agent and Consul-General in the United Principalities, Commander of his Order of Saint Maurice and Saint Lazarus.

His Majesty the King of Prussia, the Sieur Julius Alexander Aloyse Saint Pierre, Knight of his Order of the Red Eagle of the Third Class, with the knot of the Order of the Danebrog of Denmark, Officer of the Royal Order of Leopold of Belgium, decorated with the Imperial Order of Saint Ann of Russia of the Second Class, Commander of the Order of Albert of Royal Saxony of the Second Class, and of the Order of the House of Ernest of Saxony, his Councillor of Legation, his Political Agent and Consul-General in the United Principalities.

His Majesty the Emperor of All the Russias, the Sieur Henry Baron d'Offenberg, his Councillor of State and Consul-General in the United Principalities, Knight of the Order of Saint Wladimir of the Third Class, of Saint Ann and of Saint Stanislaus of the Second Class, Knight of Saint John of Jerusalem, and of several foreign Orders.

His Majesty the Emperor of the Ottomans, Ahmet Rassim Pasha, Officer of the Rank of Mirimiran, his Governor of the Province of Toultscha, decorated with the Imperial Order of the Medjidié of the Third Class.

Who, after having shown their full powers, found in good and due form, have agreed upon the following provisions:

PART I.—*Provisions relating to the Material Conditions of the Navigation.*

ART. I. All the works and establishments created in execution of Article XVI of the Treaty of Paris of 30th March, 1856, with all belonging to or depending from them, shall continue to be devoted exclusively to the use of the navigation of the Danube, and can never be turned aside from this object for any motive whatever; to this end they are placed under the guarantee and protection of international law.

The European Commission of the Danube, or the authority which shall of right take its place, shall continue charged, to the exclusion of all interference whatever, to administer these works and establishments for the advantage of the navigation, to watch over their maintenance and preservation, and to give to them all the development that the requirements of the navigation may demand.

II. There shall be specially reserved to the European Commission, or to the authority that shall succeed it, the power to design and cause to be carried out all the works that may be deemed necessary, in the event of its being wished to render permanent the improvements, until now of a temporary character, in the branch and at the mouth of the Sulina, and to prolong the piers at this mouth according as the state of the Bar Channel may require it.

III. There will remain reserved to the said European Commission to undertake the improvement of the mouth and branch of the St. George, resolved on by common agreement, and simply postponed for the present.

IV. The Sublime Porte engages for the future, as hitherto, to lend to the European Commission, or to the authority which shall succeed it, all the assistance and all the co-operation which either may require in the execution of engineering works, and, generally, in all that concerns the accomplishment of its task. It will take care that the banks of the Danube from Isaktcha to the sea remain free from all buildings, private rights of way, and other obstacles whatsoever, and it will continue, under reserve of the annual rent to which landed property is subject in Turkey, to leave at the disposal of the Commission, in the Port of Sulina, the left bank of the river for a distance of 760 mètres up stream, measured from the root of the north pier, and for a width of 150 mètres, measured from the bank.

It consents moreover to grant a fitting site on the right bank of the river for the buildings which the Commission or the authority that shall succeed it may think fit to erect for the service of the port of Sulina, for the seaman's hospital, and for the other requirements of the administration.



V. In the event of the Commission making use of the reserve mentioned in Article III, concerning the improvement of the mouth and branch of St. George, the Sublime Porte consents that the said Commission may dispose, as soon as there shall be need of them, of the ground and sites belonging to the State Domain, which shall have been previously designed, and determined upon as necessary, both for the construction of works, and for the formation of the establishments which will have to be created in consequence of, or as a complement to, this improvement.

VI. It is understood that on neither bank of the river, either in the port of Sulina or St. George, shall there be constructed either by the territorial authorities, by commercial or navigation companies, or by private individuals, any landing jetties, quays, or other establishments of the same nature, of which the plans have not been communicated to the European Commission, and recognized as being in conformity with the general plan of the quays, and as tending in no wise to compromise the effect of the works of improvement.

PART. II.—*Provisions relating to the Administrative Control of the Navigation.*

1. *Of Regulations in General.* \*

VII. The navigation of the mouths of the Danube is governed by the "Regulation of Navigation and Police," enacted by the European Commission under date of this day, and which, annexed under letter A\* to the present Act, is to have the same force and value as if it formed part of it.

It is understood that this regulation is binding as law, not only in what concerns the river police, but also for the judgment of cases of civil procedure arising from the exercise of the navigation.

VIII. The exercise of the navigation on the Lower Danube is placed under the authority and the superintendence of the Inspector General of the Lower Danube, and of the Captain of the port of Sulina.

These two Agents named by the Sublime Porte, shall conform all their acts to the regulation, the application of which is confided to them, and to the strict observance of which they shall be sworn. The sentences emanating from their authority shall be pronounced in the name of His Majesty the Sultan.

In case the European Commission or the permanent Riverain Commission shall establish that a delinquency or offence has been committed by one or other of the said Agents against the regulation of navigation and police, it will request his dismissal from the Sublime Porte. If the Sublime Porte thinks it necessary to proceed to a fresh inquiry into the facts already established by the Commission, the latter will have the right to attend

\* Annulled by Regulation of November 8, 1870.

it by the medium of a delegate, and when the culpability of the accused shall have been duly proved, the Sublime Porte will provide without delay for his being replaced.

Except in the case provided for by the preceding paragraph, the Inspector General and the Captain of the Port of Sulina can only be removed from their respective posts at their own request, or in consequence of an agreement between the Sublime Porte and the European Commission.

These Agents will thus both act under the superintendence of the European Commission.

The Inspector-General, the Captains of the Ports of Sulina and Toultscha, and the Superintendents (subordinate to the Inspector-General), shall be paid by the Ottoman Government.

They shall be chosen from among competent persons.

IX. In virtue of the principles of the Act of the Congress of Vienna, confirmed by Article XV of the Treaty of Paris, the authority of the Inspector General and of the Captain of the Port of Sulina is exercised towards all flags without distinction.

The Inspector-General is specially set over the police of the river below Isaktcha, exclusive of the port of Sulina; he is assisted by superintendents distributed over the different sections of the river within this jurisdiction.

The Captain of the Port of Sulina is charged with the police of the port and outer roadstead of Sulina.

A special instruction, determined by common agreement, regulates in its details the action of the Inspector-General and that of the Captain of the Port of Sulina.

X. Merchant captains, to whatever nationality they belong, are bound to obey the orders given to them in virtue of the regulation of navigation and police by the Inspector-General and by the Captain of the Port of Sulina.

XI. The carrying out of the regulation of navigation and police, as well as the application of the tariff, of which mention will be made in the 13th and following Articles of the present Act, is moreover insured by the action of the vessels of war stationed at the mouths of the Danube, in conformity with Article XIX of the Treaty of Paris.

Each naval force on the station acts upon the vessels of his own nationality, and upon those whose flag it is called upon to protect, whether by virtue of Treaties or usage, or in consequence of a general or special delegation.

In default of a vessel of war qualified to interfere, the International authorities of the river can have recourse to the vessel of war of the territorial Power.

XII. It is understood that the Regulation of Navigation and Police joined to the present Act will continue to be law until such time as the Regulations mentioned in Article XVII of the Treaty of Paris shall have been determined by common agree-

ment, and put in force. The same thing is understood of the provisions of the foregoing Articles VIII, IX, and X, in so far as the powers of the Inspector-General are concerned.

§ 2. *Of the Tariff of Navigation Dues.*

XIII. Article XVI of the Treaty of Paris having conferred on the European Commission the right of imposing on the navigation a toll of a rate suited to cover the expenses of the works and establishments above mentioned, and the Commission having made use of this right by enacting the tariff of the 25th July, 1860, revised the 7th of March, 1863, \*the proceeds of which have furnished it with resources necessary for the completion of the Sulina Works, it is expressly agreed upon by the present Act that the above-mentioned tariff, whose provisions have just been completed, shall continue to be binding for the future.

To this end the Tariff in question has been joined to the present Act, under letter B,† to have the same force and value as if it formed an integral part of it.

XIV. The proceeds of the tax shall be appropriated :

1st. By priority and preference to the repayment of the loans contracted by the European Commission, and of those which it may hereafter contract for completing the works for the improvement of the mouth of the Danube.

2ndly. To covering the expenses of administration and maintenance of the works and establishments.

3rdly. To the liquidation of the advances made to the Commission by the Sublime Porte. This liquidation will be effected in conformity with a special arrangement concluded for this purpose between the European Commission and the Delegate of His Imperial Majesty the Sultan, under this day's date.

The surplus of these proceeds, if there is any, shall be held in reserve to meet the expenses that may be incurred by the prolongation of the Sulina Piers, or by the carrying out of such other works as the European Commission, or the authority which shall succeed it, shall subsequently judge useful.

It is expressly understood, moreover, that no part of the proceeds of the tolls levied on sea-going vessels, or of the loans realized by means of the appropriation of these tolls, can be employed to cover the expenses of works or of administration connected with a section of the river above Isaktcha.

XV. At the expiration of every term of 5 years, and with a view to diminish, if possible, the burdens imposed upon the navigation, delegates from the Powers that have enacted the above-mentioned tariff, shall proceed to a revision of its provisions, and the amount of the toll shall be reduced as much as possible, always, however, maintaining the mean revenue judged necessary.

\* See Vol. 11. Page 1057. † Annulled by Tariff of November 9, 1870.

XVI. The method of collecting the tolls, and the administration of the Navigation Cash Office of Sulina, shall continue to be governed by the regulations at present in force.

The responsible agent charged with the collection, shall be appointed by majority of votes by the European Commission, or by the authority which shall succeed it, and shall act under its immediate orders.

The general control of the transactions of the Cash Office shall be exercised by an agent whose appointment shall belong to the Ottoman Government.

A detailed balance-sheet of the transactions of the Navigation Cash Office shall be published every year in the official journals of the different Powers interested, as well as a statement, making known the distribution and appropriation of the proceeds of the tariff.

XVII. The general administration of the lighthouses of the Ottoman Empire having undertaken to provide for the expenses of superintendence, maintenance, and lighting of the lighthouses of the mouths of the Danube, that portion of the whole amount of tax levied, representing the light dues, shall be paid into the hands of the said Administration; but it is understood that these dues can have no other object, in what concerns the existing lighthouses, and those that it may hereafter be judged useful to establish, than to cover their real expenses.

### § 3. *On Quarantine.*

XVIII. The sanitary measures applicable to the mouths of the Danube shall continue to be regulated by the Superior Board of Health, instituted at Constantinople, and in which the various foreign missions accredited to the Sublime Porte are represented by delegates. These measures shall be framed so as to conciliate in a just degree security for the public health with the requirements of maritime commerce, and they shall be based, as far as possible, on the principles laid down in Articles XIX and XX hereinafter.

XIX. Vessels descending the Danube shall be free from all sanitary control; it shall be the same for vessels entering the river from the sea as long as there shall be no contagious pestilence prevailing in the East. These vessels shall be simply bound to produce their bill of health to the authorities of the port where they shall anchor.

XX. If a contagious pestilence happens to break out in the East, and if it is judged necessary to put in force sanitary measures on the Lower Danube, quarantine may be re-established at Sulina. Vessels entering from the sea shall be bound in this case to perform quarantine at Sulina, and if the pestilence has not invaded the provinces of Turkey in Europe,



they can be subject to no other sanitary control in ascending the river.

But if, on the contrary, the pestilence invades one or any of the Riverain provinces of the Danube, Quarantine establishments shall be instituted wherever there shall be need, on the part of the river which traverses the territory of Turkey.

PART III.—*Neutrality.*

XXI. The works and establishments of all kinds created by the European Commission of the Danube, or by the authority which shall succeed it, in execution of Article XVI of the Treaty of Paris, particularly the Navigation Cash Office at Sulina, and those which it may hereafter create, shall enjoy the neutrality stipulated by Article XI of the said Treaty, and shall be, in case of war, equally respected by all the belligerents.

The benefit of this neutrality shall be extended, with the obligations which spring from it, to the general inspection of the navigation, to the administration of the port of Sulina, to the staff of the Navigation Cash Office and Seamen's Hospital, and, lastly, to the technical staff charged with the superintendence of the works.

XXII. This present Act shall be ratified. Each of the High Contracting Parties will ratify in a single copy; and the ratifications shall be deposited within the space of two months, or sooner if possible, in the Chancellery of the Imperial Divan at Constantinople.

In faith of which the respective Plenipotentiaries have signed it, and set to the seal of their arms.

Done at Galatz, the 2nd day of the month of November, of the year 1865.

(L.S.)	J. STOKES.
(L.S.)	A. DE KREMER.
(L.S.)	ED. ENGELHARDT.
(L.S.)	STRAMBIO.
(L.S.)	SAINT PIERRE.
(L.S.)	OFFENBERG.
(L.S.)	AHMET RASSIM.

ANNEX A. REGULATION OF NAVIGATION AND POLICE APPLICABLE TO THE LOWER DANUBE.\*

*General Provisions.*

ART. I. The navigation of the Lower Danube below Isaktcha is placed under the control of the "Inspector-General of the Navigation of the Lower Danube," and of the Captain of the Port of Sulina.

These two agents both officiate under the superintendence of the European Commission of the Danube. Their authority is exercised towards all flags alike, without distinction.

\* Annulled by Regulation of November 8, 1870.

II. The execution of the regulations applicable to the Lower Danube, is equally insured by the action of the vessels of war stationed at the mouths in accordance with Article XIX of the Treaty of Paris.

Each naval force on the station acts upon the vessels of its own country, or upon those whose flag it is called upon to protect, either in virtue of Treaties or usage, or in consequence of a general or special delegation.

In the absence of a vessel of war qualified to interfere, the authorities charged with the police of the river can have recourse to the vessels of war of the territorial Power.

III. The Inspector-General is specially charged with the police of the Lower Danube, exclusive of the port of Sulina.

He is assisted by several superintendents distributed over the different sections of the river under his jurisdiction.

IV. The Captain of the Port of Sulina is charged with the police of the port and of the roadstead of Sulina.

V. The masters of merchant-vessels, to whatever country they belong, are bound to comply with the orders which are given to them by virtue of the present Regulation, by the Inspector-General, and by the Captain of the Port of Sulina.

They are equally bound to state to them, when called upon to do so, their names, as well as the flags and names of their vessels, and to show to them their agreements with their crews, without prejudice to the provisions of Articles X, XVII, and LXV, hereinafter contained.

A special instruction emanating from the European Commission of the Danube, regulates particularly the action of these two Agents.

VI. Independently of the judicial functions exercised by them in the cases provided for in Articles LXXIX and CVII of the present Regulation, the Inspector-General and the Captain of the Port of Sulina decide summarily on disputes arising between captains and their crews, calling in the aid of two captains of the same nationality as the contending parties, or, in default of them, of two other captains.

They do not, however, exercise this part of their powers unless their interference is claimed by one of the parties concerned, and then only in the event of there being no other competent authority on the spot.

#### PART I.—*Concerning the Police of the Sulina Roads and Port.*

##### CHAPTER 1. *Police Regulations for the Sulina Roads.*

VII. The Sulina roadstead comprises the waters of the sea for a radius of two nautical miles round the head of the north pier.

VIII. Every vessel arriving in the Sulina Roads from seaward must hoist her national colours.

IX. If she remains in the roads to ship or unload cargo, she must nevertheless obey the orders of the Captain of the Port and of his Agents in everything relating to the Navigation Police. She is specially bound to conform to the provisions of the present Regulations contained in Part V, and having reference to the lighter service.

X. She must anchor at the place pointed out by the chief pilot or deputy chief pilot of the Sulina Port. Within 24 hours after anchoring, the captain or his chief officer must report himself at the Port Captain's office, to present his ship's papers.

XI. Boats belonging to vessels anchored in the roads are forbidden to cross the bar, and to ply in the port during the night, without carrying a lighted lantern.

## CHAPTER 2. *Police Regulations for the Port of Sulina.*

XII. The port of Sulina comprises the Sulina branch for the space of 3 nautical miles up the river, starting from the opening of the channel formed by the heads of the piers at the mouth.

XIII. No sailing or steam vessels of more than 60 tons register may cross the bar of Sulina, either entering from the sea or leaving the river, without having on board a pilot licensed by the local authorities.

This clause, however, does not apply to steamers that make periodical voyages, which are permitted to employ their own pilots.

The pilot service is regulated by special provisions under Part IV of these present Regulations.

XIV. No vessel is permitted to enter or leave the port of Sulina without hoisting the national colours. The port authorities will not allow any vessel without a flag to pass.

XV. If, owing to stormy weather, the Sulina bar is judged impracticable by the Captain of the Port, a blue flag is hoisted on the tower of the lighthouse, to show that the pilots are unable to go out to vessels in the roadstead.

XVI. Guard boats are stationed at the two entrances to the port. Captains entering the port must anchor in the berths pointed out to them by the officers in charge of these boats.

XVII. Captains must then present themselves within 24 hours at the office of the Captain of the port, to produce their ship's papers.

They are equally bound, with the exception of the captains of the postal steam-packets making regular voyages, to present their papers to the cashier of the Navigation Cash Office at Sulina, who affixes to the roll of the crew of each vessel

entering the Danube waters, of whatever tonnage she may be, a stamp bearing these words: "Commission Européenne du Danube, Caisse de Navigation de Soulina," the date of the year, and her serial number. This stamp is cancelled before the vessel leaves, by another stamp across it.

If vessels do not remain more than 24 hours at Sulina, the ship's papers are immediately restored to the captains after the accomplishment of the prescribed formalities; in the contrary case they remain deposited at the office of the Captain of the Port, by whose agency they are transmitted, if required, to the competent Consular authority, after payment of the navigation dues, and the payment or deposit of the fines levied in virtue of the present regulation, save and except in this case, the roll of the crew must always remain on board the vessel.

XVIII. After having cast anchor, vessels are to moor by cables to the posts fixed for the purpose along the two banks, or to vessels already moored.

XIX. Vessels must take in their booms and jib-booms, which in no case may be used for mooring boats. During the whole period of remaining at anchor, the yards must be braced fore and aft.

XX. Small coasting vessels, as well as lighters, are forbidden to move about the port during the night. Boats belonging to the port or to merchant-vessels may not ply during the night without carrying a lighted lantern.

XXI. It is prohibited to heat tar or pitch on board vessels inside the port. Captains are bound to see that no lights whatever are used on board their vessels other than glass lamps or lanterns.

### CHAPTER 3. *Provisions common to both Roadstead and Port of Sulina.*

XXII. Article LXIV of these present Regulations, which forbids the throwing out of ballast, except at stated places, has particular reference to the roadstead and port of Sulina, properly so called.

XXIII. It is forbidden, without the authority of the Captain of the Port, to remove anchors, chains, and other articles abandoned in the port and roadstead of Sulina.

XXIV. In case of a vessel stranding, of shipwreck, as well as in cases of damage, the Captain of the Port of Sulina will immediately give the promptest assistance to save the vessel, her cargo, and gear, and to protect the general interests of the navigation; after which he divests himself of the administration of the salvage, and forwards all the documents drawn up by him to the nearest competent authority.



PART II.—*Concerning the River Police.*CHAPTER 1. *General Regulations.*

XXV. Every captain or master of a sailing or steam-vessel in the act of navigating or stationary, whether at anchor or moored to the bank, is bound to take care that his vessel causes neither hindrance to the navigation nor damage, whether to other vessels or to landing jetties, buoys, signals, towing-paths, or other establishments placed on the river or its banks for the benefit of the navigation, and he is to attend to the preservation of his own vessel with the same care.

Vessels navigating or stationary in the Sulina branch are bound to carry their anchors suspended freely from the cat-heads, without making them fast to the bulwarks.

Persons charged with conducting floats of wood and rafts are equally bound to take the same precautions as vessels.

These floats and rafts, when they descend the Sulina branch, can only have a draught of water at least one foot less than the depth of water on the shallowest shoal in the said branch.

In no case can they have more than 12 feet draught of water.

CHAPTER 2. *Regulations for Vessels crossing or passing one another.*

XXVI. As a general rule vessels are forbidden to pass one another if going in the same direction, and two vessels sailing in opposite directions may not cross in places where the channel does not afford sufficient breadth.

XXVII. No vessel may steer across the course taken by another vessel in such a manner as to impede it in its way.

When a vessel ascending the river finds itself exposed to meeting a vessel descending at a point which does not afford sufficient breadth, she must stop below the passage till the other vessel has cleared it; and if the ascending vessel should be actually in the passage as the other approaches it, the descending vessel must cast the anchor, which she is bound to carry always in readiness astern, and stop above until the passage is clear.

XXVIII. In narrow passages steam-vessels must not approach closely vessels which precede them.

XXIX. When two steam-vessels, or two sailing-vessels, sailing with a favourable wind meet whilst proceeding in different directions, the one ascending stream must steer towards the left bank, and the vessel descending towards the right bank, so that both go to starboard as is customary at sea.

It is the same when the meeting takes place between a steam-vessel and a sailing-vessel navigating with a fair wind.

Any captain or master breaking this regulation will have

to prove, in the event of a collision, that it was impossible for him to observe it, in default of which he will be responsible before the competent tribunal for all accidents which may have happened.

He is, moreover, bound to give the signals prescribed by Articles XXXI and XXXII following. If two steam-vessels give the same signal simultaneously, the signal of the descending vessel rules.

XXX. When two steam-vessels, proceeding in different directions, are approaching a curve in the river, they must give the signals prescribed by Articles XXXI and XXXII following, and the ascending vessel must stop until the other has cleared the passage.

XXXI. When one steam-vessel wishes to pass another going in the same direction it must signal before arriving at a short distance by means of 5 strokes on the bell, or 5 whistles, and by waving a flag on the fore-castle, or by hoisting half-mast a blue flag by day, or a white light at night.

Upon these signals the vessel in advance is bound to steer to the left and give passage to the other, which will take the right. As soon as the vessel following is half-a-ship's length from the one she is about to pass, or from the tail of a convoy in tow, the latter must slacken speed until she has been passed.

XXXII. A sailing-vessel coming up with another of inferior sailing powers, and desirous to pass her, must signal her intention in good time by hailing the vessel in advance, which will be required to let her pass to windward.

A steam-vessel wishing to pass a sailing-vessel going in the same direction as itself, will be required to give the signals prescribed by Article XXXI, within a short distance, and must pass the sailing-vessel to leeward.

XXXIII. Steam-vessels going down stream are to slacken speed at the points where the river describes sharp curves, until a clear passage is visible from the stern of the vessel. If any other vessel should be in the bend the steamer must signal its approach by sounding its whistle.

XXXIV. Every steamer, whether ascending or descending the river, is bound to avoid vessels which it may meet dropping down with the current.

The vessel so dropping down is required on its part, when it meets other vessels whether under sail or steam, to steer parallel to the banks, so as to offer as little obstacle as possible to a free passage.

XXXV. Vessels tacking must take care not to get in the way of steamers.

XXXVI. Captains or masters of vessels heavily laden, or of laden vessels of less than 60 tons register, are required to keep

as much as possible out of the way of steamers which may meet or come up with them.

Captains of steamers are bound on their part, when passing near vessels of the kind mentioned in the preceding paragraph, to slacken speed, or stop completely in case of danger to the said vessels, if they can do so without danger to themselves, or to the vessels they may have in tow.

XXXVII. In obeying and construing the rules laid down in the preceding Articles XXVI to XXXVI inclusive, due regard must be had to all dangers of navigation, and due regard must also be had to any special circumstances which may exist in any particular case, rendering a departure from the above rules necessary in order to avoid immediate danger.

#### CHAPTER 3. *Towage Rules.*

XXXVIII. Captains or masters of tugs navigating with or without vessels in tow are bound to observe all the preceding provisions; they are, moreover, specially bound to obey the injunctions of Articles XXXI, XXXII, and XXXIII, when one convoy wishes to pass another, the which case excepted, two convoys must never be side by side, either at anchor or navigating in company.

In the event of meeting sailing-vessels or steamers going down stream a tug going up has the option of deviating from the injunctions contained in the above Article XXIX, in order to keep out of the current, if she can do so without danger to the vessel she is meeting. The tug is, moreover, bound, if she avails herself of this permission, to give the signals prescribed by the above Articles XXXI and XXXII.

XXXIX. As a general rule, any steam-vessel not towing a convoy, as well as every vessel sailing with a fair wind, is bound to give passage to a convoy of vessels in tow. In default of sufficient space for doing this, captains and masters, both of tugs and vessels in tow, are bound, even in cases where the signals prescribed by the preceding Articles XXXI, XXXII, and XXXIII, have not been given, to draw aside agreeably to the provisions of the said Articles, and to arrange in single file the vessels in tow.

Captains and masters of tugs and vessels in tow are, moreover, required in all cases of meeting other vessels to close together as near as possible, so as to leave to the others a sufficiently wide passage.

Paddle-wheel steamers, when navigating in the Sulina Channel, must not lash alongside them the vessels they have taken in tow. It is generally forbidden to navigate in the said channel with more than two vessels lashed abreast.

#### CHAPTER 4. *Rules relative to Tracking from the Banks.*

XL. The paths that follow both banks of the Danube are

specially intended to be used for the tracking of vessels either by men or draught animals; foot passengers and carriages can also make use of them.

XLI. The towing-path must be free from all obstacles that can impede its use, such as bushes, trees, enclosures, houses, and other erections.

XLII. The establishment in the river, and especially near the banks, of boat-mills, irrigating-wheels, and other similar constructions, is forbidden, without a formal permission from the authority in charge of the river police.

XLIII. It is expressly forbidden to dig ditches across the towing-path, unless the proprietor of the ground undertakes to bridge over any such obstructions.

XLIV. Mooring-posts having been fixed along the Sulina, captains and masters must avoid driving stakes or fixing anchors on the towing-paths for the purpose of mooring their vessels.

XLV. If two vessels, tracking in opposite directions, meet at the side of the same bank, the one going up stream must stand out to let the other pass.

If a vessel tracked by draught animals comes up with one tracked by men, the latter must allow the former to pass.

In the case of a vessel tracked coming up with one moored to the bank, the captain of this latter must allow the sailors belonging to the tracking vessel to come on board to carry over the tracking-rope.

XLVI. No attempt is to be made to pass a vessel tracked from the shore, unless it be by steering between her and the bank opposite the one from which she is being tracked. Vessels when tracked are bound, on their part, upon the signals prescribed by Articles XXXI and XXXII preceding, to keep as near as possible to the bank which they are skirting.

#### CHAPTER 5. *Rules for Navigating at Night or in a Fog.*

XLVII. All steam-vessels navigating during the night (between sun-set and sun-rise) must be furnished with a white light, easily visible at a distance of at least two miles, hoisted at the foremast-head; a green light on the starboard side, and a red light on the port side.

The said green and red lights shall be fitted with in-board screens, so as to prevent these lights from being seen across the bow.

Sailing-vessels under weigh, or being towed, shall carry the same lights as steam-vessels under weigh, with the exception of the white foremast-head light, which they shall never carry. Steam-vessels, when towing other ships shall carry two bright white mast-head lights vertically, in addition to their side lights, so as to distinguish them from other steam-vessels.

In the application of the rules prescribed by this Article, every steam-vessel which is under sail, and not under steam,



is to be considered a sailing-vessel; and every steam-vessel which is under steam, whether under sail or not, is to be considered a vessel under steam.

Rafts navigating during the night must carry a white light at each of their angles, and 3 white lights at the masthead, placed one above the other.

XLVIII. Sailing-vessels, convoys in tow, and rafts may not navigate when both banks of the river cannot be seen at the same time.

XLIX. In a fog, steamers may not navigate except at slackened speed. The bell on board must be struck without intermission, whilst a whistle must be sounded every 5 minutes. They are bound to drop anchor if the fog becomes so thick that they cannot see the bank they are following, or towards which they are steering.

L. Vessels are forbidden to leave their hawsers across the stream during the night or in foggy weather.

#### CHAPTER 6. *Rules for Vessels at Anchor.*

LI. Vessels are expressly forbidden to drop anchor or to moor in the channel of navigation. Except in the case provided for by Article LXVI hereinafter, it is equally forbidden to moor or to anchor vessels in the concave bends of the river, even alongside the banks, under pain of being responsible for all damage that their presence there may occasion.

Outside the ports, two or more vessels may never be anchored or moored abreast of one another alongside the towing-path.

LII. If, in consequence of a fog, a vessel or raft is obliged to stop at any other than a regular mooring-place, the bell on board must be struck if the vessel is a steamer, if not, the fog-horn must be used. These signals must be repeated every 5 minutes.

LIII. Every vessel stopping in the river during the night must be furnished with a lighted lantern, which should be placed either at the end of one of the main yards, or on any other visible part of the vessel, on the side towards the channel, in such a manner that it may be seen equally well both up and down stream.

Rafts stationed at anchor during the night must carry the lights prescribed by the last paragraph of the above Article XLVII, except the lights at the two angles next the bank, which they are bound to remove.

LIV. When a vessel, for the purpose of mooring, or getting off a bank, as provided for in the following chapter, is obliged to stretch a cable or chain across the channel, these moorings must be promptly slackened the moment another vessel wishes to pass.

CHAPTER 7. *Rules for cases of Stranding and Shipwreck.*

LV. Every captain or master of a vessel or raft grounded in the Sulina Channel, is bound to station at a convenient spot, at least half a nautical mile above his vessel, a look-out, charged with hailing vessels and rafts coming down stream, to acquaint them with the nature and place of the accident.

LVI. Steam-vessels must go at half-speed only whilst passing places where a vessel or raft has run aground or foundered.

LVII. Every shipwreck in the Sulina Channel is regarded with suspicion (extraordinary cases excepted), and is presumed until the contrary has been proved, to be owing to negligence or evil intent on the part of the captain or crew of the wrecked vessel.

The pilot of the vessel is personally responsible for the wreck if caused by bad management.

LVIII. If, contrary to all probability, a vessel should be wrecked in the Sulina Channel, the captain is bound to use every effort to haul her immediately alongside one of the banks so that she may not remain in the channel.

The captain of the wrecked vessel and his crew are bound to remain on board, or on the bank near the spot where the accident took place, until the report mentioned in Article LIX has been drawn up.

They are forbidden, under any pretext whatever, to remove any part of the ship's cargo, stores, anchors, chains, cables, &c.

LIX. Immediately after the wreck, the pilot of the vessel must, as promptly as possible, acquaint the Inspector-General with the news, by means of the Superintendents of Police. The Inspector-General will proceed at once to the spot, and will draw up a detailed report of the accident, which he will forward to the competent authority.

LX. If the Inspector-General judges it necessary to take immediate measures in the interest of the navigation, he will summon for this purpose the captain of the wrecked vessel, who is bound either to declare on the spot that he abandons his vessel, or to act with his crew under the orders of the Inspector-General; the latter will superintend the salvage up to the point where the work ceases to be of public utility, and has become an affair of private interest.

The vessel whose salvage has been effected by the help of the authorities charged with the river police, is liable for the payment of a sufficient sum to cover the salvage expenses, and the keeping in repair the gear used for such purposes.

LXI. The works undertaken by owners, insurers, and interested parties, with the object of effecting the salvage of wrecked vessels and their cargoes, must be carried out under

the superintendence of the Inspector-General or of his agents, and they may be temporarily suspended if considered to be of a nature likely to cause any hindrance whatever to the navigation.

LXII. If, besides the case of pressing necessity provided for in the above Article LX, the removal of the carcass or remains of a wrecked vessel is considered necessary, the owners, insurers, or other interested parties are bound to accomplish it within a month from the time of receiving notice to this effect, in default of which the work may be officially performed by the Inspector-General within the limits determined above in Article LX. In this case the wrecked vessel with its equipments, or what remains of them, are specially effected to the payment of the expenses of removal.

LXIII. In cases of damage, particularly if caused by collision, the Inspector-General, if he is able to prove the facts of the case, and if he is called upon to do so by one of the parties concerned, will draw up a report of the same, which will be forwarded to the competent authority.

#### CHAPTER 8. *Rules for the Discharge of Ballast.*

LXIV. Vessels are strictly forbidden to throw their ballast overboard into the river or on the roadstead of Sulina; they are in like manner forbidden to discharge ballast into the parts of the sea in the neighbourhood of the roadstead in depths of less than 10 fathoms.

The landing of ballast above the port of Sulina can only be carried on at the points of the river bank appointed by the Inspector-General of the Navigation, and made known by public notice.

The captain of the port of Sulina appoints the places where ballast can be discharged in the port.

The discharged ballast must in every case be transported to such a distance that the foot of the heap shall be at least 20 English feet from the edge of the proper river bank.

The provisions of this Article are equally applicable to the throwing overboard of the cinders and ashes of steam-vessels.

LXV. To ensure as far as possible the fulfilment of the preceding Article, every vessel leaving the port of Sulina in ballast, for a port higher up the river must be provided with a certificate from the captain of the port, stating the draft of water caused by her ballast.

This certificate must be kept on board during the whole voyage up the river, to be produced upon every demand of the Inspector-General or of his agents.

#### PART III. *Concerning the Police of the Port of Toultscha.*

LXVI. Every vessel lying at Toultscha must be moored to

the right bank of the river. It is, however, to be understood that there shall never be more than 3 vessels moored abreast.

LXVII. No vessel may drop anchor in the navigable channel off Toultscha, that is to say, on the right of the bollards, and red buoys fixed along the left bank of the river, nor between the posts on the right bank, bearing the sign of an anchor reversed.

LXVIII. Vessels are permitted to haul on the bollards and buoys to help them to double the Toultscha bend, but in no case are they allowed to use them as mooring posts. It is understood that this provision does not apply to steamers making periodical voyages, which stop for a short time only off Toultscha.

It is also forbidden that two or more vessels haul on one buoy at the same time.

PART IV. *Concerning the Pilot Service at the Mouth and in the River.*

CHAPTER 1. *Pilot Service at the Mouth.*

LXIX. Pilotage at the river mouth being compulsory as stated in Article XIII of the present regulations, a special corps of licensed and responsible pilots acts at Sulina, under the direction of a chief pilot, and of the captain of the port. These pilots bear the title of pilots of the first-class.

LXX. A boat is held in readiness to take the pilots on board vessels which approach the port from the sea as soon as the look-out on the lighthouse tower signals their arrival.

Pilots are bound to go a mile to seaward of the head of the north pier to meet vessels.

LXXI. As soon as a pilot boards a vessel, he must acquaint her captain with the depth of water over the bar channel, and, in return, the latter is bound to state to the pilot the draught of water of his vessel, and the proportion of cargo which she has on board. This proportion is made known without delay by the pilot to the captain of the port.

LXXII. Every pilot not belonging to the Sulina corps, who happens to be on board a vessel prepared to cross the bar, is bound, immediately on the arrival of the local pilot, to give up to him entirely the direction of the ship.

LXXIII. On leaving the river the local pilot is bound to conduct the vessel to at least a quarter of a mile to the east of the north pier head.

LXXIV. The pilot dues, as well for entry into the river as for departure, being comprised in the navigation dues levied at Sulina, it is forbidden to pilots of the first-class to receive any remuneration from the captains whose vessels they have piloted.



CHAPTER 2. *River Pilot Service.*

LXXV. Independently of the corps of pilots of the first-class charged with piloting vessels across the Sulina bar, and acting under the direction of the captain of the port, there is a special service of pilots, in like manner licensed and responsible, bearing the title of pilots of the second class, for merchant vessels navigating the river between Sulina and Ibraila.

The river pilot service, properly so-called, is placed under the superintendence of the Inspector-General of the Navigation. It is directed by a chief pilot, who has 3 offices, at Ibraila, at Galatz, and at Toultscha, and by a deputy chief pilot, resident at Sulina.

LXXVI. Merchant captains ascending the river are not bound to take a licensed pilot when they make the voyage themselves on board their vessels, but the deputy chief pilot at Sulina, set over the river pilot service, is obliged to procure them one, even in this case, if they require it.

For descending the river, every merchant-vessel of more than 60 tons register, as well as every raft of timber, must take a licensed pilot of the second class.

The same obligation exists for vessels of more than 60 tons register ascending the river without a captain or master on board.

LXXVII. The up-voyage commences from the time the vessel leaves the port of Sulina to ascend the river, and terminates with the arrival of the vessel either at its port of destination, or at Ibraila, when she is bound for a port above this latter, or for Matchin.

The down-voyage commences at Ibraila, or on leaving the port where the vessel has taken her cargo, or clearance, if she goes down empty, in the case where the port is situated below Ibraila. It terminates when the vessel takes her anchorage in the port of Sulina.

Vessels sailing from Matchin, from Guetchid, or a port above Ibraila, must take their pilot when passing Ibraila; those sailing from the ports of Reni or Ismail, have the option of providing themselves with a pilot when passing Toultscha.

LXXVIII. Captains will arrange with the pilots the sum to be paid the latter for piloting their vessels up the stream. In case of dispute, however, on this point, the port authorities will not admit any claim on the part of pilots for a higher rate of wages than half a Dutch ducat a day for the voyage, in addition to subsistence on board.

The dues for piloting a vessel down stream are comprised in the collection of navigation dues levied at Sulina.

The chief pilot of the river service deducts the sum of 4 francs from the amount of the due paid by each vessel for

pilotage on descending the river; the surplus of the due is paid to the pilot.

This pilotage due can be lawfully paid only into the hands of the cashier of the navigation chest, at Sulina.

### CHAPTER 3. *Provisions common to the Pilot Service of both Mouth and River.*

LXXIX. The Inspector-General and the Captain of the port of Sulina, each within the limits of his jurisdiction, will decide disputes arising between licensed pilots and merchant captains, in the event of their intervention being demanded by the latter.

LXXX. Licensed pilots are bound to report either to the Inspector-General or to the Captain of the port of Sulina, all infractions of the regulations committed in their presence.

They are strictly forbidden to have any interest, either directly or indirectly, in any operation or concern connected with lighters.

LXXXI. Any pilot who shall, from incompetency or evil intent, be the cause of a collision, of grounding, or of wreck, shall be discharged, without prejudice, however, to the civil action which those interested, may bring against him in the proper courts.

If the circumstances causing the accident are such as to entail criminal proceedings, the pilot will be delivered up to the proper authorities to be tried according to law.

## PART V. *The Lighter Service.*

### CHAPTER 1. *General Rules.*

LXXXII. The lighters of the Lower Danube are divided into two classes, namely, those whose operations are purely local, whether at the Sulina mouth, or at any shallow passages in the river, and those which devote themselves to the coasting trade, loading at one of the interior ports, to discharge in the port of Sulina, or on the roadstead.

LXXXIII. No one can undertake the local lighterage operations without having previously entered at the port office of Sulina the vessels intended to act as lighters, and before having been furnished with a licence delivered by the captain of the port.

Before delivering the licence, the captain of the port causes the vessel intended for a lighter to be visited by a commission which judges whether it is in good condition, and ascertains at the same time its capacity in register tons, and its burden in kilos of Constantinople. This examination is repeated every year.

The licence delivered by the captain of the port must always be forthcoming on board of the lighter.

Vessels provided with regular ship's papers can be employed

occasionally for lightening other vessels upon condition that the captains make for each operation a special declaration and deposit their papers, the muster-roll of the crew included, either at the port office at Sulina, if the vessel to be lightened is at the mouth of the river, or at the office of the Inspector-General, if the lighterage is to be effected in the river.

## CHAPTER 2. *Local Lighters.*

LXXXIV. Lighters (whether sailing or steam vessels) must have no empty space in the hold, except such as is duly recognized by the captain of the port at the time of the granting the licence.

LXXXV. Lighters having once gone alongside the vessels they are about to lighten are forbidden to leave the said vessels before the latter have weighed anchor. The captain of a vessel that has been lightened has the option of placing, at his own expense, a guard of his own choosing on board the lighter he employs. Lighters going on to the roadstead are forbidden to take cargo on the upper deck.

LXXXVI. No lighter may leave the port of Sulina to repair to the roadstead without the permit of the Captain of the Port. This permit must be shown to the guard-boat stationed, in conformity with Article XVI of these present regulations, at the entrance to the port from the sea.

LXXXVII. As a general rule, lighters leave the port of Sulina at the same time as the vessels they have lightened. In the case, however, that a vessel employs several lighters the Captain of the Port will regulate their departure in such a way that they may not have to remain in the roads too long unable to effect the reloading.

LXXXVIII. A lighter that has rejoined in the roads the vessel she has lightened may not quit her on any pretext whatever until she has restored to her her cargo, except in case of circumstances beyond control. For operations of local lighterage effected in the river-channel the lighters must keep company with the vessels lightened. As soon as the reshipment of goods has been effected on board of the lightened vessel her captain is bound to give a written acknowledgment.

LXXXIX. Lighters on re-entering the port of Sulina after having lightened a vessel must show their permit to the guard-boat which has power to inspect them.

Lighters quitting the roads at dusk, or during the night, after having lightened a vessel that has left the river, must anchor at a place set apart for this purpose, and they may not further ascend the river till the following day.

XC. The superintendence of the operations of local lighterage which are carried on at the embouchure is exercised by

the Captain of the Port of Sulina ; that of the local lighterage in the river belongs to the Inspector-General or his agents.

### CHAPTER 3. *Concerning Coasting Lighters.*

XCI. The operation of coasting lighterage may be carried on either by sailing or steam-vessels towing schlepps, or by vessels provided with regular papers, on condition that their captains or masters procure for each voyage from the proper Consular or local authorities of the ports where they ship their cargoes, a certificate stating the nature and terms of each operation.

XCII. On the arrival of a coasting lighter in the port of Sulina, the master must report himself at the Captain of the Port's office, and present the certificate above-mentioned.

If the lighter discharges the whole of the cargo within the port itself, she is required to moor alongside the vessel which is to receive her cargo, and she must not leave the same until she has finished unloading.

If she has had to discharge the whole or part of her cargo in the roads, the master must hand over the certificate prescribed by Article XCI to the Captain of the Port, who will thereupon give him a permit to pass out.

XCIII. The provisions of the present part, concerning local lighters, are equally applicable to those engaged in the coasting trade during their stay in the port and roads of Sulina.

Steam transports, however, and schlepps, are subjected in re-entering the port from the roads to the inspection mentioned in Article LXXXIX preceding, except on the demand of one of the parties concerned, or in case of suspicion or fraud.

### CHAPTER 4. *Special Provisions for Circumstances beyond Control.*

XCIV. When a vessel is forced by stress of weather to quit the roadstead of Sulina, leaving all or part of her cargo on board a lighter, the master of the lighter is bound to return to the port, and temporarily to retain his cargo on board.

XCV. If, in the case provided for in the preceding Article, the lightened vessel does not re-appear in the course of 12 days, the master of the lighter may demand of the Captain of the Port authority to unload his cargo, and deliver it into the hands of the persons having a right to it; he may then exact payment of the freight money agreed upon, as if he had placed the cargo on board the lightened vessel, but without any addition thereto.

If, before the expiration of the above specified period, the vessel returns to the roads and is again forced to put to sea, the days that had elapsed will not be counted, but a new period will commence, dating from her re-appearance.



CHAPTER 5. *Special Provisions in Cases of Fraud.*

XCVI. In case of suspicion of inaccuracy or of false statement of a lighter's burden, merchant captains have the power of seeing the tonnage verified by a special commission named, according to circumstances, by the Captain of the Port of Sulina, or by the Inspector-General of the Navigation.

The expense of this survey will be borne by the captain who demanded it, unless inaccuracy or false statement is proved, in which case it will be at the charge of the lighter.

XCVII. If the captain of a lightened vessel has reason to think that part of his cargo has been embezzled on board the lighter chartered by him, he must make a declaration to that effect either to the Captain of the Port of Sulina or to the Inspector-General of the Navigation, who will thereupon take the measures which their special instructions prescribe to them.

If the suspicion is proved to be unfounded, the costs of the inquiry are to be paid by the captain of the lightened vessel.

PART VI.—*On Offences.*CHAPTER 1.—*Assessment of Fines.*§ 1. *Offences against the Provisions of Part I for the Police of the Roads and Port of Sulina.*

XCVIII. Every offence against the provisions of the second paragraph of Article V, and against those of Articles VIII, X, XI, XIV, XVI, XIX, XX, XXI, and XXIII of the present regulation, is punished with a fine of 1 ducat at least, and 5 ducats at most. The captain of every sea-going vessel, except the steamers engaged on postal service, found in the Danube, and whose agreement with his crew does not bear the stamp, of which mention is made in Article XVII of the present regulation, or shall only bear one or more annulled stamps, is liable to a fine of 10 ducats at least, and of 50 ducats at most.

§ 2. *Offences against the Provisions of Part II for the River Police.*

XCIX. Every offence against the provisions of the 1st or of the 2nd paragraph of Article XXV, and against those of Articles XXVII, XXIX, XXXI, XXXII, XXXIII, XXXIV, XXXVI, XXXVIII, XXXIX, XLI to LIV inclusively, LVI, LX, and LXV, is punished with a fine of 3 ducats at least, and 10 ducats at most.

Every conductor of a raft or float of timber found navigating the Sulina branch, with a draught of water superior to that prescribed by the 3rd paragraph of Article XXV, hereinbefore enacted, is liable to a fine of 10 ducats at least, and of 50 ducats at most.

Every offence against the provisions of Article LXIV is

equally punished with a fine of 10 ducats at least, and of 50 ducats at most, if there has been throwing overboard or prohibited discharge of ballast.

The fine is 5 ducats for throwing overboard of cinders or ashes in the channel of the Sulina branch, in the roadstead or neighbouring parts of the sea, having less than 10 fathoms depth.

§ 3. *Offences against the Provisions of Part III on the Police of the Port of Toultscha.*

C. Offences against Articles LXVI, LXVII, and LXVIII are punished with a fine of from 1 to 5 ducats.

§ 4. *Offences against the Provisions of Part IV on the Pilot Service.*

CI. Every offence against the provisions of the 1st paragraph of Article XIII, or against the 2nd paragraph of Article LXXVI, is punished with a fine of 15 ducats at least, and 30 ducats at most.

Every refusal of the declarations prescribed by Article LXXI, or wilful inaccuracy in these declarations, either on the part of the captains or on the part of the pilots, and every offence against Article LXXII, are punished with a fine of 5 ducats at least, and 10 ducats at most.

Every offence committed by the licensed pilots of the first or second class, or by the chief or deputy chief pilots, against the present regulations, or the instructions which are given to them, and to which no special penalty is attached, is punishable by a fine, of which the maximum cannot exceed 30 ducats.

§ 5. *Offences against the Provisions of Part V for the Lighter Service.*

CII. Offences against Articles LXXXIII, LXXXIV, LXXXV, LXXXVI, LXXXVII, LXXXVIII, LXXXIX, XC, XCI, XCII, and XCIV, are punished with a fine of from 5 to 10 ducats.

§ 6. *Abusive Language and Assaults.*

CIII. Every instance of abusive language or contempt of the agents charged with the police of the navigation, acting in the performance of their duties, as well as all abusive language or contempt of the authority from which the said agents hold their power, is punished with the fine of 1 ducat at least, and of 5 ducats at most.

If there is an assault upon the person of an agent of police, when in the performance of his duty, the maximum of the fine may be raised to 30 ducats.

CHAPTER 2.—*Rules for the Infliction of Fines.*

CIV. The maximum of a fine can be doubled in the case of a second offence.

A second offence shall be considered to have been committed by a captain of a sea-going vessel when the two offences shall have been committed in one voyage; that is, without the vessel having quitted the Danube in the interval.

For masters of lighters and pilots there is a repetition of an offence when it is committed a second time in the space of one year.

CV. Offences occasioned by circumstances over which the offender has no control are not liable to fines.

CVI. Independently of fines to which they are sentenced, offenders may be prosecuted in the competent courts for the recovery of the damages to which they are civilly liable.

CVII. Captains are personally responsible for the offences committed by their crews.

CVIII. The Inspector-General of the Navigation, and the Captain of the Port of Sulina, take cognizance of the offences committed within the bounds of their several jurisdictions against the provisions of the present regulation, and pronounce, in the first instance, the infliction of the fines incurred by reason of these offences.

The notification of their sentence is made at Sulina, in the Chancellery of the Consular or local authority to which the party sentenced is amenable, if the offence has been committed during the down voyage. It is made to the same authority in the port the vessel is bound to, when the offence has been committed during the voyage up-stream. It can also be validly made to the person.

CIX. The amount of the fines is appropriated, up to 100 ducats a-year, to the endowment of the fund of relief established for necessitous pilots; the surplus to be paid into the navigation chest, to be appropriated to the maintenance of the Sailors' Hospital established at Sulina.

CX. Appeals against the sentences of conviction must be carried within 3 months from the date of notification, either before the European Commission or before the Mixed Tribunal which may eventually be instituted at Sulina.

In case of appeal, the amount of the fine is consigned to the navigation chest, and remains there as a deposit until the case has been decided.

The judgment rendered on the appeal is final, and can be the object of no further proceedings whatever.

An appeal will not be received after the expiration of 3 months from the date of the notification, and the amount of the fine then remains forfeited to the navigation chest.

CXI. The present regulation will enter in force after the ratification of the Public Act to which it is annexed, and on a day determined by a special publication made for this purpose by the European Commission.

The provisional regulation of navigation and police of the 21st November, 1864, will cease to have force of law from the same day forward.

*Final Provision.*

CXII. The present regulation annexed to the Public Act, dated this day, may be modified, according to need, by the European Commission or by the authority which shall be substituted for it in virtue of Article XVII of the Treaty of Paris.

Done at Galatz, the 2nd day of November, 1865.

J. STOKES.

SAINT PIERRE.

A. DE KREMER.

OFFENBERG.

ED. ENGELHARDT.

AHMET RASSIM.

STRAMBIO.

ANNEX B.—TARIFF OF NAVIGATION DUES TO BE LEVIED AT THE MOUTH OF THE DANUBE.\*

PREAMBLE.

*The European Commission of the Danube.*

WHEREAS, by Article XVI of the Treaty of Paris of the 30th March, 1856,† declaring that the cost of the works to be executed in freeing the mouths of the Danube and of the adjacent portions of the sea from the obstacles which obstruct them, as well as the cost of the establishments intended to secure and to facilitate the navigation, should be paid by means of charges fixed by the Commission;

Whereas a provisional Tariff was enacted in consequence on the 25th July, 1860, and a revised Tariff on the 7th March, 1863;‡

Whereas the works undertaken at the mouth of the Sulina are now finished, and that by means of the increased depth which has been obtained the obstacles to navigation at this point have been removed;

Whereas the works of improvement and cleansing executed in the course of the river, the erection of a lighthouse at the St. George's Mouth, and the improvements introduced with regard to the establishments to which the Treaty refers, as well as the creation of a Seamen's Hospital at Sulina, to which sick or shipwrecked sailors are admitted free of charge, ensure to the navigation considerable advantages;

Whereas under these circumstances, and to provide as much for the paying off of the amount spent on the works, as for the

\* Annulled by Tariff of November 9, 1870. † See Vol. X. Page 533.

‡ See Vol. XI. Page 1057.



cost of their preservation as well as of their eventual development, and of the maintenance of the above-mentioned establishments, it is necessary to adopt definitive regulations in the place of the provisional arrangements of the Tariff actually in force;

And whereas experience has shown that there is an advantage to the navigation in merging in one single shipping due the tolls levied for the improvements, and the pilotage and light dues:

Have enacted the following Tariff:

ART. I. Every sailing vessel measuring more than 30 tons, quitting the port of Sulina to go to sea, and which may have completed, according to her manifest, more than one-third of her full lading, will pay per ton measurement a fixed navigation due, of which the amount will be determined hereafter according to the total tonnage of the vessel, and to the depth of the channel at the mouth of the Sulina branch.

*Vessels which shall have ascended the River to take cargo at an inland port, will pay the duties specified in the following Table:*

Vessels.	Amount of Duty per ton according to Depth of Water at Mouth.									
	Less than 10 feet.		Of 10 feet and not more than 11 feet.		Of more than 11 feet to 12 feet.		Of more than 12 feet to 13 feet.		Of more than 13 feet to 14 feet.	
	f.	c.	f.	c.	f.	c.	f.	c.	f.	c.
Of more than 30 and less than 100 tons..	0	80	0	80	0	80	0	80	0	80
100 to 150 tons ..	1	5	1	55	2	5	2	5	2	5
More than 150 and not exceeding 200 tons .. ..	1	5	1	55	2	5	2	55	2	55
More than 200 and not exceeding 250 tons .. ..	1	5	1	55	2	5	2	55	2	80
More than 250 and not exceeding 300 tons .. ..	1	5	1	55	2	5	2	55	3	5
More than 300 tons ..	1	5	1	55	2	5	2	55	3	30

*Vessels which load their cargo in the Port of Sulina without ascending the river beyond the said port, will pay only the following dues :*

Vessels.	Amount of Duty per Ton according to Depth of Water at Mouth.							
	Less than 10 feet.		Of 10 feet and more than 11 feet.		Of more than 11 feet to 12 feet.		Of more than 12 feet to 13 feet.	
	f.	c.	f.	c.	f.	c.	f.	c.
Of more than 30 and less than 100 tons	0	50	0	50	0	50	0	50
100 to 150 tons.. ..	0	90	1	30	1	80	1	80
More than 150 and not exceeding 200 tons .. ..	0	90	1	30	1	80	2	15
More than 200 and not exceeding 250 tons .. ..	0	90	1	30	1	80	2	35
More than 250 and not exceeding 300 tons .. ..	0	90	1	30	1	80	2	55
More than 300 tons ..	0	90	1	30	1	80	2	80
Vessels of 300 tons or more, which, in consequence of want of sufficient depth of water, cannot receive their entire cargo in port .. ..	0	90	1	30	1	50	1	70
							1	80
							1	90
							2	0

II. Steam-boats belonging to a public company specially engaged in the conveyance of passengers, and making periodical voyages according to previous announcement, will pay, on leaving the river, a fixed duty of 60 centimes per ton measurement, whether wholly or partly laden.

This duty will be calculated on the net tonnage of the boat, as may be indicated by the ship's papers, that is to say, after deduction of the weight of machinery and fuel has been made from the total tonnage.

If the tonnage of the machinery is not indicated in the ship's papers, a deduction of 37 per cent. will be made on the total tonnage for paddle-wheel ships, and of 32 per cent. for screw vessels; the deduction will be made after the conversion of the tonnage of the vessel into English tons, effected in conformity with the regulations of Article XIV hereafter.

These vessels will be free from all duty on entering the river.

III. All commercial steam-vessels, other than those specified

in the preceding Article, will be subject to the same dues as sailing vessels, except the amount deducted for machinery and fuel, which will be effected on their total tonnage upon the basis determined by the preceding Article.

The amount of the fixed duty that such vessels will have to pay per ton measure, will be determined conformably to the foregoing table according as they shall, or shall not, have ascended the river above the Port of Sulina, and after the deduction accorded to them by the 1st paragraph of the present Article.

Steam-vessels not included in the category determined by Article II above, and which shall make the voyage of the Danube, going and returning included, more than twice in the same year, will enjoy a reduction of 40 per cent. on the amount of the duties charged on entry and clearance, for each of the 8 voyages, which they may perform after the two first, before the end of the year, and if the number of annual voyages should exceed 10, the reduction shall be 60 per cent. for each voyage after the 10th during the year.

The number of voyages such vessels may have performed, entering and clearing with less than one-third of their cargo, will not be reckoned in the number of voyages necessary to obtain the advantage of the above reduction of dues.

IV. Sailing vessels and commercial steam-vessels, besides those specified in Article II, which may enter the Port of Sulina from the sea, and which shall have, according to their manifest, more than one-third cargo, will pay for entering in the river the 4th part of the tax imposed for clearance by Articles I and III above.

The duty on entry will only be paid by vessels at the moment when they leave the river.

The said vessels will pay on entry the integral amount of the tax fixed by Articles I and III, if they leave the river with less than one-third of their cargo.

V. Lighters chartered for the passage of the mouth of the Sulina by vessels which have paid the duties established by the preceding Articles, will pay for each passage performed with a complete or partial lading, only the following amount :

Lighters of a burden of from 10 to 50 tons, 6 francs.

Those of a burden of more than 50 tons and not exceeding 100 tons, 8 francs.

And those of more than 100 tons burden, 12 francs.

VI. Vessels which remain anchored in the road of Sulina to load or discharge by means of lighters the whole or part of their cargo, will not be subjected to the dues established by Articles I, III, or IV above ; they will pay only a uniform tax of 100 francs for each vessel, to contribute to the expenses of the establishments by which they profit.

Such of the said vessels as may enter the port without performing any operation of commerce which may be of a nature to subject them to the dues established by Articles I, III, or IV above, will pay, in addition to the above duty of 100 francs authorized by the preceding paragraph, 50 centimes per ton for lighthouse and pilotage duty. This duty will be levied only once on the vessels leaving port.

Lighters chartered to transport across the mouth the cargoes of vessels which shall have paid no other dues than those established by the present Article, must pay for each passage across the mouth, with an entire or partial lading, a fixed due of 1 franc per ton on the total tonnage.

The lighters employed in discharging ballast will be exempt from all dues.

The duties of 50 centimes and 1 franc per ton respectively, imposed by the present Article on sea-going vessels and lighters, will be calculated for steam-boats on the net tonnage, in conformity with the rules established by Article II.

VII. Rafts and floats, of which the dimensions do not exceed 100 English feet in length by 40 feet in width, and which have been towed in descending the arm of the Sulina will have to pay, on leaving the mouth, a fixed duty of 100 francs.

The duty will be 300 francs for every raft and float which shall not have been towed in going down the arm of the Sulina, as well as for those of which the dimensions exceed 100 English feet in length or 40 feet in width.

VIII. Vessels of war are exempt from all dues either on entering or clearing the Sulina mouth.

The same exemption applies to tug steamers when they are not employed as lighters in conveying portions of the cargo of the vessels tugged.

IX. Vessels of more than 60 tons which enter the Port of Sulina, and clear again with less than a third of their cargo, and which are in consequence exempted from the dues established by the preceding Articles I, III, and IV, shall pay, on clearance, a tax of 50 centimes per ton for lighthouse and pilotage dues.

The same tax shall be paid by sea-going vessels serving occasionally as lighters, and this shall be over and above the duty of 1 franc per ton imposed by paragraph 3 of Article VI above.

Sea-going vessels or lighters which put into Sulina from stress of weather, and those which, by reason of casualties, are obliged to take refuge in the port, and are unable to continue their voyage, shall be free of all duty provided they go to sea again without engaging in any commercial operation.

X. Both sailing and steam-vessels, without exception, com-



ing from sea with more than a third of their lading, and entering the Port of Sulina to discharge a portion of their cargo, and which set sail again to continue their voyage to another port, shall pay, per ton measurement, a fixed duty of 2 francs, when the depth of the mouth exceeds 15 English feet; but if the depth is 15 feet only or under, this fixed duty shall decrease in the proportion established by Article I of the present tariff for those vessels of more than 300 tons, which do not ascend the river, and which, from the insufficiency of water in the Sulina entry, are not able to receive their cargo in the port.

This fixed duty shall be levied upon a third of the taxable tonnage if the quantity of merchandize unloaded at Sulina does not exceed a third of the total and taxable capacity of the vessel, but it shall be levied on two-thirds of the tonnage, if the quantity unloaded is more than one-third, and does not exceed two-thirds of such capacity.

Should it exceed two-thirds, the duties shall be leviable in accordance with the foregoing Articles I and III.

If the vessel which has discharged at Sulina, in the case foreseen by the present Article, less than two-thirds of its cargo, should receive merchandize in that port, it shall pay over and above the tax leviable on account of the discharge, one quarter of this tax, which shall be levied on a third or two-thirds of its taxable tonnage, according as the quantity of merchandize received is confined within a third or two-thirds of the vessel's capacity.

XI. The duties fixed by the preceding Articles shall include :

The tax imposed upon vessels to cover the expenses of works and other improvements effected by the European Commission ;

The duties actually in force for the maintenance of the lighthouses constituting the lighthouse system of the mouths of the Danube ; and

The duties destined to cover the expenses occasioned by the pilotage service in the Sulina entrance, and those of the other establishments instituted with the view of facilitating the navigation.

Independently of these duties vessels shall not be subjected to any other tax or charge, excepting the fees of the river pilots, which they shall pay for the descent, in conformity with the Article following.

XII. Sailing vessels of more than 60 tons measurement, which shall have ascended the river above the port of Sulina, as well as rafts and floats of timber, shall pay on leaving the river, for the obligatory pilotage of the descent, a tax regulated as follows :

For the passage from Galatz, or from a port situated above this point to Sulina, 120 francs.

For the passage from Rêni or Ismail to Sulina, 100 francs.

And for the passage from Toultscha to Sulina, 72 francs.

This tax shall be reduced to half for steam-vessels.

The steam-vessels mentioned in the foregoing Article II may be exempted from this tax, provided that the pilot on board holds a certificate as pilot of the second class.

As regards pilotage for ascending the river, which is purely optional, the fee of the pilot can be fixed by arrangement, and it is paid to him direct by the captain of the vessel piloted.

XIII. The amount of the duties shall be paid over to the accountant charged with the administration of the Navigation Cash Office of the port of Sulina, who will deliver a receipt for the same.

A table showing the reduction into francs of the moneys in use upon the Lower Danube shall always be posted up in the office of collection.

This table shall be periodically revised.

In cases where the liability to duty is contested, or payment questioned by the parties, the amount of duty shall be paid over to the Navigation Cash Office as a deposit.

Demands for entire or partial restitution of the duties paid shall be carried before the European Commission, or before the International authority which shall succeed it. They should be stated in writing within 3 months of the payment, or of the deposit, under pain of forfeiture.

XIV. The term ton measurement shall be understood to mean the registered ton English.

The tonnage of vessels shall be taken from the ship's papers.

The reduction of the tons of different countries into English measure, shall be made according to the table annexed to the present tariff.

XV. Vessels entering the Danube without papers showing their tonnage shall be subjected, with the sole view of fixing the navigation dues to which they are liable conformably to the present tariff, to an approximative valuation to be made by two experts, under the direction of the Captain of the Port, and with the concurrence of the competent Consular authority. The accountant of the Navigation Cash Office shall have the option of assisting at the operation, either in person or by means of a delegate.

The same shall take place if the tonnage borne upon the ship's papers is notably incorrect, or if disputes arise with respect to the valuation of the portion of the cargo of a vessel in the case of the foregoing Articles I and IV.

The estimate of the tonnage, in default of ship's papers, shall be made at the expense of the vessel concerned. The

same shall take place if the experts declare an excess of more than 5 tons over the capacity indicated by the ship's papers; or, if it is decided contrary to the declaration of the captain or master that the vessel carries more than a third of her full cargo, in the contrary case the expenses will be charged to the Navigation Chest. In no case can these estimates give rise to any appeal or application whatever.

XVI. The depths by which the duties established by the present tariff shall be determined, shall be taken on the bar of Sulina, in English feet.

The soundings shall be made under the direction and responsibility of the engineer charged with the improvements of the mouth, the results shall be posted up at the Navigation Cash Office and at the office of the Captain of the Port.

If the state of the sea does not permit of such soundings, the amount of duties to be levied shall be based on the last depth taken.

No supplementary payment for clearance dues can be exacted from vessels, nor, except in cases of duly proved errors in the soundings, shall any partial restitution from the Navigation Chest be required on account of the difference, however great it may be, between the depth of the mouth at the moment of the clearance of the vessel, and that which shall have served as a basis for the settlement of the taxes paid.

XVII. Every vessel, raft, or float which shall attempt, by any means whatever to evade, wholly or partly, payment of the duties fixed by the present tariff, shall be liable, in addition to the duties which it is required to pay in conformity with what precedes, to a fine equal to 4 times the amount.

If the tonnage indicated upon the ship's papers, or the declaration relative to the quantity of merchandize loaded or unloaded at Sulina, according to the foregoing Article X, appears to be false, verification of the vessel's capacity, or of the quantity of merchandize compared with the total tonnage, can be resorted to in a manner prescribed by the foregoing Article XV.

The application of the fine shall be pronounced in the first instance by the Captain of the port of Sulina; the sentence of condemnation shall be notified to the condemned party, either in person, or in the office of the Consular or Local authority resident at Sulina, having charge of the interests of the nation to which he may belong.

The appeal against condemnations must be carried before the European Commission, or before the International authority which shall succeed to it.

Appeal must be made within 3 months of the notification, under pain of becoming null.

The forms of procedure shall be ultimately determined by

special regulations. Judgments rendered upon appeals shall not be susceptible of any further redress.

The penalties pronounced by the Captain of the port shall have effect, notwithstanding the appeal; in case of petition the amount of the fine shall be consigned as a deposit to the Navigation Cash Office.

The amount of the fines, when finally adjudged, shall be paid into the said Cash Office, to be applied towards defraying the expenses of the Seamen's Hospital.

XVIII. The Commanders of ships of war stationed at the mouths of the Danube, conformably to Article XIX of the Treaty of Paris, shall be called upon to assure the payment of the duties established by the present tariff, and of the penalties when definitely settled, with respect to vessels of their own nationality, and to those whose flags they protect, either by treaty or custom, or in virtue of a special or general delegation.

The action of the ships of war shall be demanded *en règle* through the Captain of the port of Sulina upon the requisition of the accountant charged with the administration of the Navigation Cash Office.

In default of a ship of war having power to coerce an offending vessel, the Captain of the port shall have recourse to the intervention of the Ottoman man-of-war stationed at Sulina.

XIX. The Provisional Tariff of the 7th March, 1863, shall cease to be applied, and the present tariff shall come into force after the ratification of the Public Act to which it is annexed, and upon the date to be hereafter fixed by a special notification of the European Commission to that effect.

Done at Galatz the 2nd November, 1865.

J. STOKES.  
A. D. KREMER.  
ED. ENGELHARDT.  
STRAMBIO.  
SAINT PIERRE.  
OFFENBERG.  
AHMET RASSIM.



TABLE showing the proportion between the ton register English and the measures adopted in other countries for gauging vessels.

Vessels.	Factor by which the unit of measure of each country should be multiplied.		Vessels.	Factor by which the unit of measure of each country should be multiplied.	
	Tons.	Lasts.		Tons.	Lasts.
Austria .. ..	0·82	..	Spain.. ..	1·00	..
France .. ..	1·00	..	Greece .. ..	0·76	..
Italy .. ..	0·89	..	Hamburg .. ..	..	2·77
Turkey* .. ..	..	..	Hanover .. ..	0·98	2·25
Prussia .. ..	0·98	1·50	Holland .. ..	0·89	1·75
Russia .. ..	1·08	1·89	Lübeck .. ..	..	1·89
America (United } States) .. ..	1·00	..	Mecklenburg .. ..	1·09	2·44
Belgium .. ..	0·95	1·81	Norway .. ..	0·98	2·08
Bremen .. ..	..	1·89	Oldenburg .. ..	0·96	1·50
Denmark .. ..	1·02	1·96	United Principalities†	1·00	..
			Sweden .. ..	1·02	1·98

PROTOCOL of Conference between the Plenipotentiaries of Austria, France, Great Britain, Italy, Prussia, Russia, and Turkey, sanctioning the Public Act of November 2, 1865,‡ relating to the Navigation of the Mouths of the Danube; and amending Article V of the Regulation of November 21, 1864.§ Paris, March 28, 1866.

THE European Commission, constituted in accordance with Article XVI of the Treaty signed at Paris on the 30th March, 1856,|| having effected the improvement of the navigation of the Lower Danube, by means of certain important works which they have caused to be executed, and having provided regulations for the different services attached thereto, the Powers who signed the Treaty have accorded to their delegates in the said Commission full powers to determine, by an International Act, the duties and obligations arising under existing circumstances.

In consequence, a public Act was signed by them at Galatz on the 2nd of November, 1865, in 8 originals, of which one has been deposited with the archives of the European Commission, and the others dispatched by the Commissioners to their respective Governments.

The Plenipotentiary of France presented to the Conference one of the originals of the Public Act.

After consideration of this Act, and of the two Annexes A and B, which form an integral portion of it, and of the arrangement relating to the sums advanced by the Sublime Porte to the European Commission, which also forms a portion, the

\* 1 English ton equal to  $61\frac{3}{10}$  kilos. of Constantinople.

† 1 English ton equal to  $4\frac{2}{10}$  kilos. of Galatz;  $3\frac{1}{10}$  kilos. of Braila.

‡ See Page 884.

§ See Page 124.

|| See Vol. 10. Page 538.

Conference gives its consent and sanction to the provisions which the Act contains.

It is agreed however, in order to amend an accidental omission, that Article V of the Regulation of the 21st of November, 1864\* (Annex A), shall be as follows:

“ Merchant captains, of whatever nationality, are required to observe the orders given to them in virtue of the present regulations, whether by the Inspector-General or by the Captain of the port of Sulina.

“ They are equally bound to declare to them, if demanded, their names, nationality, and the names of their vessel, and to produce their ship's roll, without prejudice to the provisions of Articles X, XVII, and LXV, which follow.”

A special instruction, issued by the European Commission, regulates in detail the functions of these two agents.

It is moreover agreed, that in the first sections of the Article XCVIII of the same Regulation, the word “ Article IV ” shall be replaced by the word “ Article V.”

Each of the Contracting Parties, in officially making known the Public Act and its Annexes, will have regard to the preceding modifications.

The present Protocol has been drawn up, and signed in original and in duplicate: one copy, as in the case of the other Protocols, shall remain attached to the Acts of the Conference; the other has been officially presented to the Plenipotentiary of His Majesty the Sultan, and shall be by the said Plenipotentiary forwarded to Constantinople to be used as, and to take the place of, the European Ratification provided for by Article XX of the Public Act.

Done at Paris, March 28, 1866.

DROUYN DE LHUYS.

COWLEY.

BUDBERG.

PRINCE DE METTERNICH.

NIGRA.

GOLTZ.

SAFVET.

**BRITISH ORDER IN COUNCIL**, *empowering Her Majesty's Consuls in the Ottoman Dominions, exercising Jurisdiction over British Subjects, to enforce the Provisions of the Public Act of the 2nd November, 1865,† as Amended by the Protocol of 28th March, 1866,‡ relative to the Navigation of the Mouths of the Danube.* Windsor, April 9, 1866.

*At the Court at Windsor, the 9th day of April, 1866.*

**PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.**

**WHEREAS** by an Act of Parliament passed in the session of

\* See Page 124.

† See Page 884.

‡ See Page 920.

Parliament holden in the 6th and 7th years of Her Majesty's reign, intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual,"\* it is amongst other things enacted, that it shall be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty now hath, or may at any time hereafter have, within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory :

And whereas Her Majesty hath power and jurisdiction in the islands included between the different branches of the River Danube, at its mouth, and forming, and commonly designated as the Delta of the Danube, which by the Treaty between Her Majesty, His Imperial Majesty the Emperor of Austria, His Imperial Majesty the Emperor of the French, His late Majesty the King of Prussia, His Imperial Majesty the Emperor of all the Russias, His Majesty the King of Sardinia, and His Imperial Majesty the Sultan, signed at Paris, on the 19th day of June, 1857,† were replaced under the immediate sovereignty of the Sublime Ottoman Porte :

And whereas it is expedient to provide for the efficient exercise of the said power and jurisdiction, for the purposes hereinafter mentioned, in like manner as the same have been customarily and of right exercised on behalf of Her Majesty by Her Majesty's Ambassadors, Ministers, Consuls, and other officers within the dominions of the Sublime Ottoman Porte :

And whereas by Article XV of the General Treaty of Peace between Her Majesty, His Imperial Majesty the Emperor of Austria, His Imperial Majesty the Emperor of the French, His late Majesty the King of Prussia, His Imperial Majesty the Emperor of all the Russias, His Majesty the King of Sardinia, and His Imperial Majesty the Sultan, signed at Paris, on the 30th day of March, 1856,‡ it was provided as follows: "The Act of the Congress of Vienna,§ having established the principles intended to regulate the navigation of rivers which separate or traverse different States, the Contracting Powers stipulate among themselves that those principles shall in future be equally applied to the Danube and its mouths. They declare that this arrangement henceforth forms a part of the public law of Europe, and take it under their guarantee :

"The navigation of the Danube cannot be subjected to any impediment or charge not expressly provided for by the stipulations contained in the following Articles; in consequence, there shall not be levied any toll founded solely upon the fact

\* See Vol. 6. Page 500.

† See Vol. 10. Page 533.

‡ See Vol. 10. Page 959.

§ See Vol. 10. Page 15.

of the navigation of the river, nor any duty upon the goods which may be on board of vessels. The regulations of police and of quarantine to be established for the safety of the States separated or traversed by that river shall be so framed as to facilitate as much as possible the passage of vessels. With the exception of such regulations, no obstacle whatever shall be opposed to free navigation :”

And whereas by Article XVI\* of the said last-mentioned Treaty, it was further provided as follows :—“ With the view of carrying out the arrangements of the preceding Article, a Commission, in which Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey shall each be represented by one delegate, shall be charged to designate, and to cause to be executed the works necessary below Isatcha to clear the mouths of the Danube, as well as the neighbouring parts of the sea, from the sands and other impediments which obstruct them, in order to put that part of the river and the said parts of the sea in the best possible state for navigation :

“ In order to cover the expenses of such works, as well as of the establishments intended to secure and to facilitate the navigation at the mouths of the Danube, fixed duties of a suitable rate settled by the Commission by a majority of votes may be levied, on the express condition that in this respect, as in every other, the flags of all nations shall be treated on the footing of perfect equality :”

And whereas, in the year 1857, by virtue of the said Articles of the said last-mentioned Treaty, a Commission was accordingly established for the purposes therein mentioned :

And whereas the said Commission has from time to time made and promulgated certain rules, orders, and regulations, as well concerning the navigation of the said River Danube, and the conduct and government of masters, seamen, and others navigating the same, as concerning the payment of duties to be levied and taken in respect of the navigation of the said river, and the enforcing of penalties for the breach of such rules, orders, and regulations respectively, or any of them :

And whereas by two several Orders in Council, bearing date respectively the 6th day of January, 1862,† and the 21st day of March, 1862,‡ Her Majesty, by and with the advice aforesaid, was pleased to order that all rules, orders, and regulations, so made, and to be made, as therein respectively mentioned, by the said Commission, should be binding and in force, and should have the force and effect of law, upon and against all British subjects and other persons subject to the jurisdiction of Her Majesty’s Consuls, Vice-Consuls, and Consular Agents,

\* See Vol. 10. Page 537.

† See Vol. 11. Page 568.

‡ See Vol. 11. Page 572.



within the dominions of the Ottoman Porte; and such orders were afterwards amended by a subsequent order, bearing date the 30th day of November, 1864:\*

And whereas under and by virtue of further and special powers and authorities for that purpose granted by Her Majesty, and by His Imperial Majesty the Emperor of Austria, His Imperial Majesty the Emperor of the French, His Majesty the King of Italy, His Majesty the King of Prussia, His Imperial Majesty the Emperor of all the Russias, and His Imperial Majesty the Sultan, the several persons constituting the said Commission being duly nominated Plenipotentiaries for the purpose, by a Public Instrument bearing date at Galatz the 2nd day of November, 1865,† entitled "Public Act relative to the Navigation of the mouths of the Danube," did amend, consolidate, and of new promulgate and confirm (as so amended and consolidated) the several regulations and tariffs previously promulgated by the said Commission, the same being set forth and contained or referred to in the said Public Act, and in certain Annexes thereto:

And whereas at a meeting of the several Ministers, Plenipotentiaries of the several Powers aforesaid, in Conference assembled, at Paris, on the 28th day of March, 1866,‡ a Protocol in writing was duly signed and agreed to, whereby the assent and sanction of all the said several Powers to the said Public Act, and the Annexes thereto, were expressed and recorded, subject to certain amendments of some of the regulations contained in the said Annexes, which amendments are in the said Protocol at large set forth:

And whereas it is expedient that power should be given to Her Majesty's Consuls-General, Consuls, Vice-Consuls, and Consular Agents, exercising jurisdiction over British subjects within the dominions of the Sublime Ottoman Porte, to enforce the provisions of the aforesaid Public Act, relative to the navigation of the mouths of the Danube, and of its Annexes, as the same are amended by the said Protocol:

Now, therefore, in pursuance of the above-recited Act of Parliament, and in execution of the powers thereby vested in Her Majesty in Council, Her Majesty is pleased, by and with the advice of Her Privy Council, to order and declare, and it is hereby ordered and declared as follows:

1. The said Orders of the 6th day of January, 1862, 21st day of March, 1862, and 30th day of November, 1864, shall from henceforth be repealed. This repeal shall not affect the past operation of these Orders or anything done under them, neither shall it affect a certain other Order of the 30th day of November, 1864, for the regulation of Consular jurisdiction in the dominions of the Sublime Ottoman Porte.

\* See Page 124.

† See Page 884.

‡ See Page 920.

2. All rules, orders, and regulations contained in the aforesaid instrument, entitled "Public Act for the navigation of the mouths of the Danube," and its Annexes, as amended, and (subject to such amendment thereof), confirmed by the said Protocol of the 28th day of March, 1866, and all the several amendments thereof set forth in the said Protocol, shall from and after the date of these presents be binding and in force, and shall have the force of law upon and against all British subjects and other persons subject to the jurisdiction of Her Majesty's Consuls-General, Consuls, Vice-Consuls, and Consular Agents, within the dominions of the Sublime Ottoman Porte.

3. For all the purposes mentioned in the said Public Act and its Annexes, as so amended as aforesaid, and in the said Protocol respectively, and for the purpose of enforcing, so far as Her Majesty's subjects and such other persons as aforesaid are concerned, the provisions of the said Public Act and its Annexes, as so amended as aforesaid, and of the said Protocol, the said Consuls-General, Consuls, Vice-Consuls, and Consular Agents of Her Majesty within the dominions of the Sublime Ottoman Porte, shall, from and after the date of these presents, have, possess, and enjoy all and every the powers, jurisdiction, authorities, rights, privileges, and immunities which, in and by a certain Order in Council, bearing date the 30th day of November, 1864, are vested in or belong to, or are exerciseable by, the Judge of the Supreme Consular Court of Constantinople, within the dominions of the Sublime Ottoman Porte. And all the clauses, articles, and provisions of the said Order in Council, so far as the same respectively are now in force and unrepealed, and so far as the same, or any of them, are applicable to the purposes mentioned in the said Public Act and its Annexes, as so amended as aforesaid, and in the said Protocol respectively, or any of them, shall apply and extend to the said Consuls-General, Consuls, Vice-Consuls, and Consular Agents of Her Majesty, and to all acts, matters, and things whatsoever done by, to, or in respect of them the said Consuls-General, Consuls, Vice-Consuls, and Consular Agents respectively, under or by virtue of these presents.

And the Right Honourable the Earl of Clarendon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ARTHUR HELPS.

BRITISH ORDER IN COUNCIL, *giving Power to Her Majesty's Judge of the Supreme Consular Court at Constantinople, to authorize Her Majesty's Vice Consul in Egypt, or the Provincial Consular Court, to exercise Power and Jurisdiction in the said Provincial Consular Court.* Windsor, November 10, 1866.

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*At the Court at Windsor, the 10th day of November, 1866.*

PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS by the Act of the session of Parliament of the 6th and 7th years of Her Majesty's reign (chapter 94),\* "To remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual," hereinafter called "The Foreign Jurisdiction Act," it was enacted (among other things) that it was and should be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty then had, or might at any time thereafter have, within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory:

And whereas Her Majesty has had, and now has, power and jurisdiction in the dominions of the Sublime Ottoman Porte:

And whereas Her Majesty was pleased, by and with the advice of Her Privy Council, on the 9th day of January, 1863,† and the 17th day of November, 1863,‡ to make, by Orders in Council, dated on those days respectively, provision for the exercise of Her power and jurisdiction aforesaid:

And whereas Her Majesty was pleased, by and with the advice of Her Privy Council, on the 30th day of November, 1864,§ by an Order in Council dated on that day, to repeal the said Orders of the 9th January, 1863, and 19th November, 1863, and to make further and other provisions for the due exercise of Her Majesty's power and jurisdiction aforesaid, and for the more regular and efficient administration of justice and the better maintenance of order among all classes of Her Majesty's subjects, and of persons enjoying Her Majesty's protection, resident in or resorting to the dominions of the Sublime Ottoman Porte:

And whereas it has seemed to Her Majesty, by and with the advice of Her Privy Council, to be expedient at the present time to amend the provisions of the said last-mentioned Order, in the manner hereinafter ordered:

Now, therefore, Her Majesty, by virtue of the powers in

\* See Vol. 6. Page 500.

‡ See Page 835.

† See Vol. 11. Page 581.

§ See Page 846.

this behalf by "The Foreign Jurisdiction Act," or otherwise, in her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:—

1. This Order shall commence on the day of the date hereof.
2. From and after the commencement of this Order, it shall and may be lawful for the judge for the time being of Her Britannic Majesty's Supreme Consular Court for the dominions of the Sublime Ottoman Porte, by deputation or deputations in writing under his hand and the seal of the said court, to authorize Her Majesty's Vice-Consul in Egypt (holding a commission as such from Her Majesty), or the Provincial Consular Court held by such Vice-Consul in Egypt, to exercise, within the limits of the district of the said Provincial Consular Court, such of the powers, authorities, and jurisdictions in criminal matters now vested in the said Supreme Consular Court, or in the judge of the said Supreme Consular Court, as shall be specified in such deputation or deputations; and such powers, authorities, and jurisdictions shall and may thereupon be exercised by such Vice-Consul in Egypt and such Provincial Consular Court respectively, within the district aforesaid.

3. No deputation granted under this Order shall take effect until the same has been approved, in writing, by one of Her Majesty's Principal Secretaries of State.

4. Any deputation so granted as aforesaid may at any time be revoked by one of Her Majesty's Principal Secretaries of State, by writing under his hand, or by the judge of Her Britannic Majesty's Supreme Consular Court for the time being, by writing under his hand and the seal of the court.

And the Right Honourable Lord Stanley, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

EDMUND HARRISON.

## UNITED STATES.

*PROCLAMATION of the President of The United States, for the Prevention of unlawful Interference of American Citizens in the Civil War in Canada. Washington, January 5, 1838.*

WHEREAS information having been received of a dangerous excitement on the northern frontier of The United States, in consequence of the civil war begun in Canada, and instructions having been given to The United States' officers on that frontier, and applications having been made to the Governors of the adjoining States to prevent any unlawful interference on the part of our citizens in the contest unfortunately com-



menced in the British provinces: additional information has just been received that, notwithstanding the proclamations of the Governors of the States of New York and Vermont, exhorting their citizens to refrain from any unlawful acts within the territory of The United States; and notwithstanding the presence of the civil officers of The United States, who, by my directions, have visited the scenes of commotion with a view of impressing the citizens with a proper sense of their duty, the excitement, instead of being appeased, is every day increasing in degree—that arms and munitions of war, and other supplies, have been procured by the insurgents in The United States—that a military force, consisting in part, at least, of citizens of The United States, had been actually organized, had congregated at Navy Island, and were still in arms under the command of a citizen of The United States, and that they were constantly receiving accessions and aid.

Now, therefore, to the end that the authority of the laws may be maintained, and the faith of Treaties observed, I, Martin Van Buren, do most earnestly exhort all citizens of The United States who have thus violated their duties, to return peaceably to their respective homes; and I hereby warn them, that any persons who shall compromise the neutrality of this Government by interfering in an unlawful manner with the affairs of the neighbouring British provinces, will render themselves liable to arrest and punishment under the laws of The United States, which will be rigidly enforced; and also that they will receive no aid or countenance from their Government into whatever difficulties they may be thrown by the violation of the laws of their country, and the territory of a neighbouring and friendly nation.

Given under my hand at the city of Washington, the 5th day of January, A.D. 1838, and the 62nd of the Independence of The United States.

By the President: (L.S.) M. VAN BUREN.  
JOHN FORSYTH, *Secretary of State*.

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ADDITIONAL ARTICLES *to the Articles agreed upon between the Post Office of Great Britain and Ireland and the Post Office of the United States of America, for carrying into execution the Convention of December 15, 1848.\* Signed at* *Washington, August 10,* 1853.  
*London, September 7,*

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IN pursuance of the power granted by Article XXI of the Convention of December 15, 1848, between the United Kingdom of Great Britain and Ireland and the United States of America,

\* See Vol. 8. Page 937.

to the two Post Offices to settle the matters of detail, which are to be arranged by mutual consent, for ensuring the execution of the stipulations contained in the said Convention;

The Undersigned, duly authorized for that purpose by their respective offices, have agreed upon the following Articles:

ART. I. An exchange of mails shall hereafter take place between the following offices, viz.:

1st. Between the Post Office of New York and the British Packet Office, Panama.

2nd. Between the Post Office of Charleston and the British Packet Office at Panama.

3rd. Between the Post Office, Savannah, and the British Packet Office at Panama.

4th. Between the Post Office of New Orleans and the British Packet Office at Panama.

5th. Between the Post Office of San Francisco and the British Packet Office at Panama.

The transmission of these mails between the several ports above mentioned and Panama will be provided for by The United States Government.

II. The mails forwarded from New York, Charleston, Savannah, New Orleans, and San Francisco to Panama, shall comprise the correspondence of all the foreign ports on the Western Coast of South America at which the British Mail Packets in the Pacific touch.

III. Reciprocally the mails forwarded from Panama to New York, Charleston, Savannah, New Orleans, and San Francisco, shall comprise the correspondence for The United States from all the foreign ports on the Western Coast of South America at which the British Mail Packets in the Pacific touch.

IV. Upon every letter not exceeding  $\frac{1}{2}$  an ounce in weight dispatched from New York, Charleston, Savannah, New Orleans, or San Francisco, to Panama, and addressed to the several States on the Western Coast of South America, at the ports of which the British Mail Packets touch, The United States Post Office shall account to the British Post Office for the following rates of postage, viz.:

1st. Upon a letter for Buenaventura in New Grenada, 4*d.* or 8 cents. (So long as the existing Postal Convention between Great Britain and New Grenada shall continue in force.)

2nd. Upon a letter for any port in the Republic of Peru, 6*d.* or 12 cents. (So long as the existing Postal Convention between Great Britain and Peru shall continue in force.)

3rd. Upon a letter for any other port on the Western Coast of South America except those above mentioned, 1*s.* or 24 cents.

And these rates of postage shall increase in proportion for

heavier letters according to the scale of postage now established in the United Kingdom.

V. For every newspaper despatched from New York, Charleston, Savannah, New Orleans, or San Francisco, to Panama, and addressed to any of the States on the Western Coast of South America, at the ports of which the British Mail Packets touch, The United States Post Office shall account to the British Post Office for the sum of 2*d.* or 4 cents.

VI. Every mail dispatched from New York, Charleston, Savannah, New Orleans, or San Francisco, to Panama, shall be accompanied by a letter-bill. The office to which the mail is addressed shall return, by the next post, an acknowledgment of receipt to the office from which it was transmitted.

The letter-bill and acknowledgments of receipt shall be made out according to the forms (A and B) agreed upon and annexed to the present Articles.

VII. If it should happen at the usual period for making up the mails, that there should not be any letter or other correspondence from either of the offices of exchange, a blank letter-bill shall nevertheless be forwarded to the corresponding office.

VIII. The letter-bills and acknowledgments of receipt shall serve as vouchers to the quarterly account.

If in checking the mails transmitted to the Packet Office at Panama, the amount of postage shall be found to differ from that entered in the letter-bill by the dispatching office, such amount shall be checked by two officers, and the corrected amount, which is entered by them on the verification side of the letter-bill shall be accepted as the true amount.

IX. The amount due to the British Office for the correspondence transmitted, under the regulations now agreed upon, shall be placed to the credit of the United Kingdom in the general account between the Post Office of the United Kingdom and the Post Office of The United States, prepared quarterly in the General Post Office, London.

X. The present Articles shall be considered as additional to those agreed upon between the two offices for carrying into execution the Convention of 15th December, 1848,\* signed at Washington the 14th May, 1849,† and shall come into operation on the 1st day of October, 1853.

Done in duplicate, and signed at Washington on the 10th day of August, and at London on the 7th day of September, 1853.

J. TILLY.

HORATIO KING.

Approved,

CANNING.

JAMES CAMPBELL, *Postmaster-General*.

\* See Vol. 8. Page 987.

† See Vol. 8. Page 951.

ADDITIONAL ARTICLES *to the Articles agreed upon between the Post Office of the United Kingdom of Great Britain and Ireland and the Post Office of the United States of America, for carrying into execution the Convention of December 15, 1848.\* Signed at* London, November 26,  
Washington, December 12, 1853.

IN pursuance of the power granted by Article XXI of the Convention of December 15, 1848, between the United Kingdom of Great Britain and Ireland and the United States of America, to the two Post Offices to settle the matters of detail, which are to be arranged by mutual consent, for ensuring the execution of the stipulations contained in the said Convention;

The Undersigned, duly authorized for that purpose by their respective offices, have agreed upon the following Articles:

ART. I. There shall be established on the part of The United States a new Office of Exchange at Philadelphia, which shall exchange mails with the British Offices of London and Liverpool, by means of the British and of The United States mail packets plying between Liverpool and Boston or New York respectively, and by means of The United States mail packets plying between Southampton and New York.

II. When the packets are dispatched from Boston or from New York to Liverpool, the mails forwarded from the office of Philadelphia to the office of Liverpool shall comprise the correspondence for all parts of the United Kingdom, with the exception of the city of London and its suburbs.

The mails for London shall comprise all the correspondence for that city and its suburbs and for countries in transit through the United Kingdom.

III. When the packets are dispatched from New York to Southampton, the mails forwarded from the office of Philadelphia to the office of London shall comprise the correspondence for all parts of the United Kingdom with the exception of Southampton, and for foreign countries (France and countries on the continent of Europe addressed *viâ* Southampton and Havre excepted), and for British colonies and possessions in transit through the United Kingdom.

The mails for Southampton shall comprise all the correspondence for that town, and for France and for countries on the continent of Europe specially addressed *viâ* Southampton and Havre.

IV. Reciprocally when the packets are dispatched from Liverpool to Boston or to New York, separate mails for Philadelphia shall be forwarded from the offices of London and Liverpool comprising all the correspondence for the city of Philadelphia.

V. When the packets are dispatched from Southampton to

\* See Vol. 8. Page 937.



New York, separate mails for Philadelphia shall be forwarded from the offices of London and Southampton, comprising all the correspondence for the city of Philadelphia.

VI. The present Articles shall be considered as additional to those agreed upon between the two offices for carrying into execution the Convention of December 15, 1848, signed at Washington the 14th of May, 1849, and shall come into operation on the 1st day of January, 1854.

Done in duplicate, and signed at London, on the 25th day of November, 1853, and at Washington, on the 12th day of December, 1853.

Approved,

CANNING.

JAMES CAMPBELL.

W. L. MABERLY.  
HORATIO KING.

*ACT of the Congress of The United States, to carry into effect the Treaty between The United States and Great Britain, of 7th April, 1862,\* for the Suppression of the African Slave Trade. July 11, 1862.*

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that to carry into effect the provisions of the Treaty between The United States and Her Britannic Majesty for the suppression of African Slave Trade, the President be and he is hereby authorized to nominate, and by and with the advice and consent of the Senate to appoint a Judge and also an Arbitrator on the part of The United States to reside at New York; a Judge and also an Arbitrator to reside at Sierra Leone; and a Judge and also an Arbitrator to reside at the Cape of Good Hope.

II. And be it further enacted, that the said Judge at New York shall be paid at the rate of 2,500 dollars, and the said Arbitrator there at the rate of 1,000 dollars a-year; and the said Judges at Sierra Leone and the Cape of Good Hope shall be paid at the rate of 2,500 dollars a-year respectively, and the said Arbitrators at these two places at the rate of 2,000 dollars a-year, respectively; the said salaries to begin with the acceptance of their commissions by the said Judges and Arbitrators respectively.

III. And be it further enacted, that the Judge of the Court at New York, whose appointment is authorized by this Act, shall have power to appoint a Clerk or Registrar to the said Court, who shall receive such fees for his services as are allowed by law to the Clerk of the Court of The United States for the Southern District of New York for similar ser-

\* See Vol. 11. Page 903.

vices ; and it shall be the duty of the Marshal of the Southern District of New York, and he is hereby authorized, to serve all processes and execute all orders and decrees of the said Court, for which he shall be allowed fees in the discretion of the Judge of the said Court.

IV. And be it further enacted, that all Acts and parts of Acts of Congress inconsistent with the stipulations of the Treaty aforesaid, and with the present Act, be, and the same are hereby repealed.

Approved, July 11, 1862.

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*TREATY between Great Britain and The United States, for the Settlement of the Claims of the Hudson's Bay and Puget's Sound Agricultural Companies. Signed at Washington, July 1, 1863.\**

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HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the United States of America, being desirous to provide for the final settlement of the claims of the Hudson's Bay and Puget's Sound Agricultural Companies, specified in Articles III and IV of the Treaty concluded between Great Britain and the United States of America on the 15th of June, 1846,† have resolved to conclude a Treaty for this purpose, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard Bickerton Pemell, Lord Lyons, a Peer of Her United Kingdom, a Knight Grand Cross of Her Most Honourable Order of the Bath, and Her Envoy Extraordinary and Minister Plenipotentiary to the United States of America ;

And the President of the United States of America, William H. Seward, Secretary of State ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :

ART. I. Whereas by Articles III and IV of the Treaty concluded at Washington, on the 15th day of June, 1846, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the United States of America, it was stipulated and agreed that in the future appropriation of the territory south of the 49th parallel of north latitude, as provided in Article I of the said Treaty, the possessory rights of the Hudson's Bay Company, and of all British subjects who may be already in the occupation of land or other property lawfully acquired within the said territory, should be respected ; and that the farms, lands, and other property of every descrip-

\* Ratifications exchanged at Washington, March 3, 1864.

† See Vol. 8. Page 930.

tion belonging to the Puget's Sound Agricultural Company, on the north side of the Columbia River, should be confirmed to the said Company; but that in case the situation of those farms and lands should be considered by The United States to be of public and political importance, and The United States' Government should signify a desire to obtain possession of the whole or of any part thereof, the property so required should be transferred to the said Government at a proper valuation, to be agreed upon between the parties.

And whereas it is desirable that all questions between The United States' authorities on the one hand, and the Hudson's Bay and Puget's Sound Agricultural Companies on the other, with respect to the possessory rights and claims of those Companies and of any other British subjects in Oregon and Washington territory, should be settled by the transfer of those rights and claims to the Government of The United States for an adequate money consideration.

It is hereby agreed that Her Britannic Majesty and the United States of America shall, within 12 months after the exchange of the ratifications of the present Treaty, appoint each a Commissioner for the purpose of examining and deciding upon all claims arising out of the provisions of the above quoted Articles of the Treaty of June 15, 1846.

II. The Commissioners mentioned in the preceding Article shall, at the earliest convenient period after they shall have been respectively named, meet at the city of Washington, in the district of Columbia, and shall, before proceeding to any business, make and subscribe a solemn declaration that they will impartially and carefully examine and decide, to the best of their judgment, and according to justice and equity, without fear, favour, or affection to their own country, all the matters referred to them for their decision; and such declaration shall be entered on the record of their proceedings.

The Commissioners shall then proceed to name an arbitrator or umpire to decide upon any case or cases on which they may differ in opinion. And if they cannot agree in the selection, the said arbitrator or umpire shall be appointed by the King of Italy, whom the two High Contracting Parties shall invite to make such appointment, and whose selection shall be conclusive on both parties. The person so to be chosen shall, before proceeding to act, make and subscribe a solemn declaration, in a form similar to that which shall already have been made and subscribed by the Commissioners, which declaration shall also be entered on the record of the proceedings. In the event of the death, absence, or incapacity of such person, or of his omitting, or declining, or ceasing to act as such arbitrator or umpire, another person shall be named in the manner aforesaid to act in his place or stead, and shall make and subscribe such declaration as aforesaid.

Her Britannic Majesty and the United States of America engage to consider the decision of the two Commissioners conjointly, or of the arbitrator or umpire, as the case may be, as final and conclusive on the matters to be referred to their decision, and forthwith to give full effect to the same.

III. The Commissioners and the arbitrator or umpire shall keep accurate records and correct minutes or notes of all their proceedings, with the dates thereof, and shall appoint and employ such clerk or clerks, or other persons, as they shall find necessary to assist them in the transaction of the business which may come before them.

The salaries of the Commissioners and of the clerk or clerks shall be paid by their respective Governments. The salary of the arbitrator or umpire, and the contingent expenses, shall be defrayed in equal moieties by the two Governments.

IV. All sums of money which may be awarded by the Commissioners, or by the arbitrator or umpire, on account of any claim, shall be paid by the one Government to the other in two equal annual instalments, whereof the first shall be paid within 12 months after the date of the award, and the second within 24 months after the date of the award, without interest, and without any deduction whatever.

V. The present Treaty shall be ratified, and the mutual exchange of ratifications shall take place in Washington, in 12 months from the date hereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this Treaty, and have hereunto affixed our seals.

Done in duplicate at Washington, the 1st day of July, A.D. 1863.

(L.S.) LYONS.

(L.S.) WILLIAM H. SEWARD.

BRITISH ORDER IN COUNCIL, *declaring the Regulations appended to the Order in Council of January 9, 1863,\* respecting Collisions at Sea, to be applicable to the Ships of the United States of America.* Windsor, August 27, 1864.

*At the Court at Windsor, the 27th day of August, 1864.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS the rules and practice observed for the purpose of preventing collisions at sea, which were formerly adopted by maritime nations, have proved insufficient to satisfy the requirements of modern navigation; and whereas various alterations in such rules and practice have from time to time been made by different nations, but the rules so altered have been found to be in some cases inconsistent with each other, and in other cases

\* See Vol. 11. Page 219.



to have the force of municipal law only; and whereas certain regulations for the purpose aforesaid have been sanctioned by "The Merchant Shipping Act Amendment Act, 1862,"\* and are contained in the Table C, in the schedule to that Act; and whereas for the purpose of correcting certain clerical errors the said regulations have, in pursuance of the provisions in the said Act contained, been modified by an Order in Council bearing date the 9th day of January, 1863, and the said regulations, so modified, are appended to the said Order, and to this Order; and whereas by virtue of the said Act and of the said Order, the said regulations so appended as aforesaid, so far as relates to British and French ships, and also so far as relates to certain other foreign ships when within British jurisdiction, came into operation on the 1st day of June, 1863; and whereas it is provided by the same Act, that, whenever it is made to appear to Her Majesty that the Government of any foreign country is willing that the regulations for preventing collisions, contained in Table C in the schedule to the said Act, or such other regulations for preventing collisions as are for the time being in force under the said Act, should apply to the ships of such country when beyond the limits of British jurisdiction, Her Majesty may by Order in Council direct that such regulations shall apply to the ships of the said foreign country, whether within British jurisdiction or not. And it is further provided by the said Act, that whenever an Order in Council has been issued applying any regulation made by or in pursuance of the said Act to the ships of any foreign country, such ships shall, in all cases arising in any British Court, be deemed to be subject to such regulation, and shall for the purpose of such regulation be treated as if they were British ships: and whereas it has been made to appear to Her Majesty, that the Government of the United States of America is willing that the said regulations appended to the said Order, and to this Order, should apply to ships belonging to the United States of America, when beyond the limits of British jurisdiction.

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to direct, that the said regulations appended to the said Order in Council, bearing date the 9th day of January, 1863, and to this Order, shall from the 1st day of September next, apply to ships belonging to the United States of America, whether within British jurisdiction or not.

ARTHUR HELPS.

REGULATIONS *referred to in the foregoing Order.*  
Regulations for Preventing Collisions at Sea.  
[See Vol. 11. Page 221.]

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\* See Vol. 11. Page 323.

BRITISH NOTIFICATION, *prohibiting Ships of War belonging to either of the Belligerents of North America from being Dismantled or Sold in any British Port. London, September 8, 1864.*

*Foreign Office, September 8, 1864.*

It is hereby notified that Her Majesty has been pleased to order, that for the future, no ship of war belonging to either of the belligerent powers of North America shall be allowed to enter, or to remain, or be, in any of Her Majesty's ports for the purpose of being dismantled or sold; and Her Majesty has been pleased to give directions to the Commissioners of Her Majesty's Customs, and to the Governors of Her Majesty's colonies and foreign possessions, to see that this Order is properly carried into effect.

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BRITISH ORDER IN COUNCIL *declaring the Regulations appended to the Order in Council of January 9, 1863,\* respecting Collisions at Sea to be applicable to Ships of the United States of America, navigating the Inland Waters of North America. Windsor, November 30, 1864.*

*At the Court at Windsor, the 30th day of November, 1864.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS the rules and practice observed for the purpose of preventing collisions at sea, which were formerly adopted by maritime nations, have proved insufficient to satisfy the requirements of modern navigation, and whereas various alterations in such rules and practice have from time to time been made by different nations, but the rules so altered have been found to be in some cases inconsistent with each other, and in other cases to have the force of municipal law only; and whereas certain regulations for the purpose aforesaid have been sanctioned by "The Merchant Shipping Act Amendment Act, 1862,"† and are contained in the Table C, in the schedule to that Act; and whereas for the purpose of correcting certain clerical errors the said regulations have, in pursuance of the provisions in the said Act contained been modified by an Order in Council, bearing date the 9th day of January, 1863, and the said regulations, so modified, are appended to the said Order under the title of regulations for preventing collisions at sea; and whereas it is provided by the same Act that whenever it is made to appear to Her Majesty that the Government of any foreign country is willing that the regulations for preventing collisions, contained in Table C in the schedule to the

\* See Vol. 11. Page 219.

† See Vol. 11. Page 328.

said Act, or such other regulations for preventing collisions as are for the time being in force under the said Act, should apply to the ships of such country when beyond the limits of British jurisdiction, Her Majesty may by Order in Council, direct that such regulations shall apply to the ships of the said foreign country, whether within British jurisdiction or not: And it is further provided by the said Act, that whenever an Order in Council has been issued, applying any regulation made by or in pursuance of the said Act to the ships of any foreign country, such ships shall, in all cases arising in any British Court, be deemed to be subject to such regulation, and shall for the purpose of such regulation be treated as if they were British ships; And whereas it was made to appear to Her Majesty that the Government of the United States of America was willing that the said regulations for preventing collisions at sea appended to the said Order, should apply to ships belonging to the United States of America, when beyond the limits of British jurisdiction: And Her Majesty, by virtue of the power vested in Her by the said recited Act, did, by Order in Council dated the 27th of August, 1864,\* direct that the said regulations for preventing collisions at sea, appended to the said Order in Council, bearing date the 9th day of January, 1863, and to this Order should, from the first day of September then next, apply to ships belonging to the United States of America, whether within British jurisdiction or not:

And whereas the said Government of the United States of America have expressed a desire that the said regulations should be made to apply to ships navigating the inland waters of North America, and that they should apply to ships of The United States navigating such waters when beyond the limits of British jurisdiction:

And whereas by an Act passed by the Legislative Council and Assembly of Canada, assented to on the 30th of June, 1864, and intituled "An Act to amend the Law respecting the Navigation of Canadian Waters," after reciting that it would tend to the greater security of life and property in vessels navigating Canadian waters, that the same rules of navigation and the same precautions for avoiding collisions and other accidents as were then adopted in the United Kingdom, and in other countries also should be adopted in Canada, it was enacted that on and after the 1st day of September, 1864, the rules contained therein with respect to lights, fog signals, steaming and sailing, should apply to all the rivers, lakes, and other navigable waters whatsoever within the province of Canada, or within the jurisdiction of the Legislature thereof:

And whereas the said rules so referred to are the same as the regulations appended to the said Order in Council, bearing

\* See Page 934.

date the 9th day of January, 1863, except that they are not intituled regulations for preventing collisions at sea; and whereas the same are also appended to this Order:

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said Merchant Shipping Act Amendment Act, 1862, and by and with the advice of Her Privy Council, is pleased to direct that the said regulations appended to this Order shall apply to ships belonging to the United States of America when navigating the inland waters of North America, whether within British jurisdiction or not.

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REGULATIONS *referred to in the foregoing Order.*  
Regulations for Preventing Collisions at Sea.

[See Vol. 11. Page 221.]

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NOTIFICATION *given by The United States to Great Britain for the termination of the Reciprocity Treaty of June 5, 1854,\* on the 17th March, 1866. London, 17th March, 1865.*

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No. 1.—*Mr. Adams to Earl Russell. (Received March 17.)*  
*Legation of The United States,*

MY LORD, *London, March 17, 1865.*

UNDER instructions from the Government of the United States, I have the honour to transmit to your Lordship a certified copy of a joint resolution of the Congress of The United States, approved by the President on the 18th of January, 1865, in regard to the termination of the Treaty concluded between The United States and Her Britannic Majesty on the 5th of June, 1854, commonly known as the Reciprocity Treaty.

I have the honour further to inform you that I am directed to notify Her Majesty's Government that, as it is considered no longer for the interests of the United States to continue this Treaty in force, it will terminate and be of no further effect, as provided by the terms of the instrument, at the expiration of 12 months from the date of the reception by your Lordship of this notice.

I pray, &c.

*Earl Russell.*

CHARLES FRANCIS ADAMS.

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(*Inclosure.*)—*Joint Resolution providing for the termination of the Reciprocity Treaty of June 5, 1854, between The United States and Great Britain.*

WHEREAS it is provided in the Reciprocity Treaty concluded at Washington, the 5th of June, 1854, between The United

\* See Vol. 9. Page 998.



States of the one part, and the United Kingdom of Great Britain and Ireland of the other part, that this Treaty "shall remain in force for 10 years from the date at which it may come into operation: and further, until the expiration of 12 months after either of the High Contracting Parties shall give notice to the other of its wish to terminate the same;" and whereas, it appears by a Proclamation of the President of The United States, bearing date 16th March, 1855, that the Treaty came into operation on that day; and whereas, further, it is no longer for the interests of The United States to continue the same in force: therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that notice be given of the termination of the Reciprocity Treaty, according to the provision therein contained for the termination of the same; and the President of The United States is hereby charged with the communication of such notice to the Government of the United Kingdom of Great Britain and Ireland.

Approved January 18, 1865.

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*No. 2.—Earl Russell to Mr. Adams.*

SIR, *Foreign Office, March 17, 1865.*

I HAVE the honour to acknowledge the receipt of your letter of this day, containing a Resolution of the Congress of The United States approved by the President, in regard to the termination of the Treaty of 1854, commonly known as the Reciprocity Treaty.

Her Majesty will instruct Sir Frederic Bruce on his proceeding to Washington as Her Majesty's Envoy Extraordinary, upon this subject.

*C. F. Adams, Esq.*

I am, &c.

RUSSELL.

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PROCLAMATION *of the President of The United States, relative to reciprocal Hospitalities to Vessels of War. Washington, April 11, 1865.*

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By the President of the United States of America.

A PROCLAMATION.

WHEREAS for some time past vessels of war of The United States have been refused, in certain foreign ports, privileges and immunities to which they were entitled by Treaty, public law, or the comity of nations, at the same time that vessels of war of the country wherein the said privileges and immunities have been withheld have enjoyed them fully and uninter-

ruptedly in ports of The United States; which condition of things has not always been forcibly resisted by The United States, although, on the other hand, they have not at any time failed to protest against and declare their dissatisfaction with the same; in the view of The United States no condition any longer exists which can be claimed to justify the denial to them by any one of the said nations of customary naval rights such as has heretofore been so unnecessarily persisted in;

Now, therefore, I, Abraham Lincoln, President of The United States, do hereby make known, that if after a reasonable time shall have elapsed for intelligence of this proclamation to have reached any foreign country in whose ports the said privileges and immunities shall have been refused, as aforesaid, they shall continue to be so refused, then and thenceforth the same privileges and immunities shall be refused to the vessels of war of that country in the ports of The United States; and this refusal shall continue until war vessels of The United States shall have been placed upon an entire equality in the foreign ports aforesaid with similar vessels of other countries. The United States, whatever claim or pretence may have existed heretofore, are now, at least, entitled to claim and concede an entire and friendly equality of rights and hospitalities with all maritime nations.

In witness whereof I have hereunto set my hand and caused the seal of The United States to be affixed.

Done at the city of Washington, this 11th day of April, in the year of our Lord 1865, and of the Independence of The United States the 89th.

By the President:  
WILLIAM H. SEWARD, *Secretary of State*.

ABRAHAM LINCOLN.

BRITISH *Instructions to Public Offices, cancelling the Orders of January 31, 1862; \* so far as regards the admittance of United States and Confederate Ships into British Ports, for more than 24 hours; and limiting the Supply of Coals.—May 11, 1865.*

*Earl Russell to the Lords Commissioners of the Admiralty.*  
MY LORDS, *Foreign Office, May 11, 1865.*

I HAVE the honour to acquaint you that, in the existing state of the civil war in America, and the uncertainty which may be felt as to its continuance, it appears to Her Majesty's Government that the time has arrived for ceasing to enforce so much of the orders, which, in pursuance of my letter of the 31st of January, 1862, were issued by the several depart-

\* See Vol 11. Page 900.

ments of Her Majesty's Government, as empowered the authorities of any port belonging to Her Majesty, either in the United Kingdom or in the Channel Islands, or in any of Her Majesty's colonies or foreign possessions or dependencies, to require any ship of war or privateer of either belligerent which might enter any port, roadstead, or waters belonging to Her Majesty, in order to obtain provisions or things necessary for the subsistence of her crew, or to effect repairs, to put to sea as soon as possible after the expiration of a period of 24 hours, without permitting her to take in supplies beyond what might be necessary for her immediate use; and not to suffer any such vessel as might have been allowed to remain within British waters for the purpose of repair to continue in any port, roadstead, or waters belonging to Her Majesty, for a longer period than 24 hours after her necessary repairs should have been completed; and also so much of the same orders as limited the quantity of coal and the period within which it might be obtained, to be embarked on board any such ship of war or privateer of either belligerent.

I have addressed a similar letter to the Secretaries of State for the Home, Colonial, War, and India Departments, and to the Lords Commissioners of Her Majesty's Treasury.

*The Lords Commissioners of the Admiralty.*

RUSSELL.

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PROCLAMATION of the President of The United States, declaring Hospitalities to be refused to the Public Vessels of Neutral Nations, showing Hospitalities to Insurgent Cruizers. Washington, May 10, 1865.

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By the President of the United States of America.

A PROCLAMATION.

WHEREAS the President of The United States, by his Proclamation of the 19th day of April, 1861, did declare certain States therein mentioned in insurrection against the Government of The United States;

And whereas armed resistance to the authority of this Government in the said insurrectionary States may be regarded as virtually at an end, and the persons by whom that resistance, as well as the operations of insurgent cruizers, was directed, are fugitives or captives:

And whereas it is understood that some of those cruizers are still infesting the high seas, and others are preparing to capture, burn, and destroy vessels of The United States:

Now, therefore, be it known, that I, Andrew Johnson, President of The United States, hereby enjoin all naval, military,

and civil officers of The United States, diligently to endeavour, by all lawful means, to arrest the said cruisers, and to bring them into a port of The United States, in order that they may be prevented from committing further depredations on commerce, and that the persons on board of them may no longer enjoy impunity for their crimes.

And I do further proclaim and declare, that if, after a reasonable time shall have elapsed for this Proclamation to become known in the ports of nations claiming to have been neutrals, the said insurgent cruisers and the persons on board of them shall continue to receive hospitality in the said ports, this Government will deem itself justified in refusing hospitality to the public vessels of such nations in ports of The United States, and in adopting such other measures as may be deemed advisable towards vindicating the national sovereignty.

In witness whereof I have hereunto set my hand, and caused the seal of The United States to be affixed.

Done at the city of Washington, this 10th day of May, in the year of our Lord 1865, and of the Independence of the United States of America the 89th.

By the President:  
W. HUNTER, *Acting Secretary of State.*

ANDREW JOHNSON.

PROCLAMATION of the President of The United States, declaring certain Ports formerly Closed to be Reopened; disallowing Belligerent Rights; and removing certain restrictions on Trade. Washington, May 22, 1865.

OFFICIAL.—*Department of State.*

By the President of the United States of America.

#### A PROCLAMATION.

WHEREAS, by the Proclamation of the President of the 11th day of April last,\* certain ports of The United States therein specified which had previously been subject to blockade, were for objects of public safety declared, in conformity with previous special legislation of Congress, to be closed against foreign commerce during the national will, to be thereafter expressed and made known by the President; and whereas events and circumstances have since occurred which, in my judgment, render it expedient to remove that restriction, except as to the ports of Galveston, La Selle, Brazos de Santiago (Point Isabel), and Brownsville, in the States of Texas:

Now, therefore, be it known that I, Andrew Johnson, President of The United States, do hereby declare that the ports

\* See Page 939.



aforesaid not excepted as above shall be open to foreign commerce from and after the 1st day of July next; that commercial intercourse with the said ports may from that time be carried on, subject to the laws of The United States, and in pursuance of such regulations as may be prescribed by the Secretary of the Treasury. If, however, any vessel from a foreign port shall enter any of the before-named excepted ports in the State of Texas, she will continue to be held liable to the penalties prescribed by the Act of Congress approved on the 13th day of July, 1861, and the persons on board of her to such penalties as may be incurred, pursuant to the laws of war, for trading or attempting to trade with an enemy.

And I, Andrew Johnson, President of The United States, do hereby declare and make known that the United States of America do henceforth disallow all persons trading, or attempting to trade in any ports of The United States, in violation of the laws thereof, all pretence of belligerent rights and privileges; and I give notice, that from the date of this Proclamation, all such offenders will be held and dealt with as pirates.

It is also ordered, that all restrictions upon trade heretofore imposed in the territory of The United States east of the Mississippi River, save those relating to contraband of war, to the reservation of the rights of The United States to property purchased in the territory of an enemy, and to the 25 per cent. upon purchasers of cotton, are removed. All provisions of the internal revenue law will be carried into effect under the proper officers.

In witness whereof I have hereunto set my hand, and caused the seal of The United States to be affixed.

Done at the city of Washington, this 22nd day of May, in the year of our Lord 1865, and of the Independence of the United States of America the 89th.

By the President :

ANDREW JOHNSON.

W. HUNTER, *Acting Secretary of State.*

**BRITISH Instructions to Public Offices prohibiting the entrance of Confederate Ships into British Ports.—June 2, 1865.**

*Earl Russell to the Lords Commissioners of the Admiralty.*

MY LORDS,

*Foreign Office, June 2, 1865.*

I HAVE the honour to state to your Lordships, that since the date of my letter of the 11th ultimo,\* intelligence has reached this country that the late President of the so-called Confederate States has been captured by the military forces of The United States, and has been transported as a prisoner to Fort Monroe,

\* See Page 940.

and that the armies hitherto kept in the field by the Confederate States, have for the most part surrendered or dispersed.

In this posture of affairs Her Majesty's Government are of opinion that neutral nations cannot but consider the civil war in North America as at an end.

In conformity with this opinion, Her Majesty's Government recognize that peace has been restored within the whole territory of which the United States of North America before the commencement of the civil war were in undisturbed possession.

As a necessary consequence of such recognition on the part of Her Majesty's Government, Her Majesty's several authorities in all ports, harbours, and waters belonging to Her Majesty, whether in the United Kingdom or beyond the seas, must henceforth refuse permission to any vessel of war carrying a Confederate flag to enter any such ports, harbours, and waters; and must require any Confederate vessels of war which, at the time when these orders reach Her Majesty's authorities in such ports, harbours, and waters may have already entered therein on the faith of Proclamations heretofore issued by Her Majesty, and which, having complied with the provisions of such Proclamations, may be actually within such ports, harbours, and waters, forthwith to depart from them.

But Her Majesty's Government consider that a due regard for national good faith and honour requires that Her Majesty's authorities should be instructed, as regards any such Confederate vessels so departing, that they should have the benefit of the prohibition heretofore enforced against pursuit of them within 24 hours by a cruiser of The United States lying at the time within any such ports, harbours, and waters, and that such prohibition should be then and for the last time maintained in their favour.

If, however, the Commander of any Confederate vessel of war which may be found in any port, harbour, or waters of Her Majesty's dominions at the time these new orders are received by Her Majesty's authorities, or may enter such port, harbour, or waters, within a month after these new orders are received, should wish to divest his vessel of her warlike character, and, after disarming her, to remain without a Confederate flag within British waters, Her Majesty's authorities may allow the Commander of such vessel to do so at his own risk in all respects, in which case he should be distinctly apprized that he is to expect no further protection from Her Majesty's Government, except such as he may be entitled to in the ordinary course of the administration of the law in time of peace.

The rule as to 24 hours would of course not be applicable to the case of such vessel.

I have addressed a similar letter to the Secretaries of State for the Home, Colonial, India, and War Offices, and also to the

Lords Commissioners of Her Majesty's Treasury, requesting them, as I do your Lordships, to issue instructions in conformity with the decision of Her Majesty's Government to the several British authorities at home or abroad who may be called upon to act in the matter.

I am, &c.

*The Lords Commissioners of the Admiralty.*

RUSSELL.

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PROCLAMATION of the President of The United States, removing restrictions on Trade to the East of the Mississippi River, except in Articles Contraband of War.—Washington, June 13, 1865.

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By the President of The United States of America.

A PROCLAMATION.

WHEREAS, by my Proclamation [Executive order] of the 29th of April, 1865, all restrictions upon internal, domestic, and commercial intercourse, with certain exceptions therein specified and set forth, were removed "in such parts of the States of Tennessee, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and so much of Louisiana as lies east of the Mississippi River, as shall be embraced within the lines of national military occupation:"

And whereas by my proclamation of the 22nd of May, 1865,\* for reasons therein given, it was declared that certain ports of The United States which had been previously closed against foreign commerce, should, with certain specified exceptions, be re-opened to such commerce on and after the 1st day of July next, subject to the laws of The United States, and in pursuance of such regulations as might be prescribed by the Secretary of the Treasury:

And whereas I am satisfactorily informed that dangerous combinations against the laws of The United States no longer exist within the State of Tennessee; that the insurrection heretofore existing within said State has been suppressed; that within the boundaries thereof the authority of The United States is undisputed, and that such officers of The United States as have been duly commissioned are in the undisturbed exercise of their official functions:

Now, therefore, be it known that I, Andrew Johnson, President of The United States, do hereby declare that all restrictions upon internal, domestic, and coastwise intercourse and trade, and upon the removal of products of States heretofore declared in insurrection, reserving and excepting only those relating to contraband of war, as hereinafter recited, and also those which relate to the reservation of the rights of The United States to property purchased in the territory of an enemy, heretofore imposed in the territory of The United States east of the

\* See Page 942.



Mississippi River, are annulled, and I do hereby direct that they be forthwith removed; and that, on and after the 1st day of July next, all restrictions upon foreign commerce with said ports, with the exception and reservation aforesaid, be likewise removed; and that the commerce of said States shall be conducted under the supervision of the regularly appointed officers of the Customs provided by law; and such officers of the Customs shall receive any captured and abandoned property that may be turned over to them, under the law, by the military or naval forces of The United States, and dispose of such property as shall be directed by the Secretary of the Treasury. The following articles, contraband of war, are excepted from the effect of this Proclamation:—arms, ammunition, all articles from which ammunition is made, and gray uniforms and cloth.

And I hereby also proclaim and declare that the insurrection, so far as it relates to and within the State of Tennessee, and the inhabitants of the said State of Tennessee are reorganized and constituted under their recently adopted constitution and reorganization, and accepted by them, is suppressed; and therefore, also, that all the disabilities and disqualifications attaching to said State and the inhabitants thereof consequent upon any proclamations issued by virtue of the 5th section of the Act entitled “An Act further to provide for the collection of Duties on Imports, and for other purposes,” approved the 13th day of July, 1861, are removed.

But nothing herein contained shall be considered or construed as in any wise changing or impairing any of the penalties and forfeitures for treason heretofore incurred under the laws of The United States, or any of the provisions, restrictions, or disabilities, set forth in my proclamation bearing date the 29th day of May, 1865, or as impairing existing regulations for the suspension of the habeas corpus, and the exercise of military law in cases where it shall be necessary for the general public safety and welfare during the existing insurrection; nor shall this proclamation affect, or in any way impair, any laws heretofore passed by Congress, and duly approved by the President, or any proclamations or orders issued by him during the aforesaid insurrection, abolishing slavery, or in any way affecting the relations of slavery, whether of persons or [of] property; but, on the contrary, all such laws and proclamations heretofore made or issued are expressly saved and declared to be in full force and virtue.

In testimony whereof I have hereunto set my hand, and caused the seal of The United States to be affixed.

Done at the city of Washington, this 13th day of June, in the year of our Lord 1865, and of the Independence of the United States of America the 89th.

By the President:

ANDREW JOHNSON.

W. H. SEWARD, *Secretary of State.*

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PROCLAMATION of the President of The United States, removing restrictions on Trade to the West of the Mississippi River.—  
Washington, June 24, 1865.

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By the President of The United States.

A PROCLAMATION.

WHEREAS it has been the desire of the General Government of The United States to restore unrestricted commercial intercourse between and in the several States, as soon as the same could be safely done in view of resistance to the authority of The United States by combinations of armed insurgents;

And whereas that desire has been shown in my Proclamations of the 29th of April, 1865, the 13th of June, 1865,\* and 23rd of June, 1865;

And whereas it now seems expedient and proper to remove restrictions upon internal, domestic, and coastwise trade and commercial intercourse between and within the States and Territories west of the Mississippi River;

Now, therefore, be it known that I, Andrew Johnson, President of The United States, do hereby declare that all restrictions upon internal, domestic, and coastwise intercourse and trade, and upon the purchase and removal of products of States and parts of States and territories heretofore declared in insurrection, lying west of the Mississippi River (excepting only those relating to property heretofore purchased by the agents or captured by or surrendered to the forces of The United States, and to the transportation thereto or therein, on private account, of arms, ammunition, all articles from which ammunition is made, gray uniforms, and gray cloth), are annulled; and I do hereby direct that they be forthwith removed; and also that the commerce of such States and parts of States shall be conducted under the supervision of the regularly appointed officers of the Customs [who] shall receive any captured and abandoned property that may be turned over to them, under the law, by the military or naval forces of The United States, and dispose of the same in accordance with instructions on the subject issued by the Secretary of the Treasury.

In testimony whereof I have hereunto set my hand, and caused the seal of The United States to be affixed.

Done at the city of Washington, this 24th day of June, in the year of our Lord 1865, and of the Independence of the United States of America the 89th.

By the President:

ANDREW JOHNSON.

W. HUNTER, *Acting Secretary of State.*

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\* See Page 945.

PROCLAMATION *of the President of The United States, removing Restrictions on Articles Contraband of War.*—Washington, August 29, 1865.

WHEREAS, by my Proclamations of the 13th and 24th of June, 1865,\* removing restrictions, in part, upon internal, domestic, and coastwise intercourse and trade with those States recently declared in insurrection, certain articles were excepted from the effect of said Proclamations as contraband of war; and whereas the necessity for restricting trade in said articles has now, in a great measure, ceased; it is hereby ordered that on and after the 1st day of September, 1865, all restrictions aforesaid be removed, so that the articles declared by the said Proclamations to be contraband of war, may be imported into and sold in said States, subject only to such regulations as the Secretary of the Treasury may prescribe.

In testimony whereof I have hereunto set my hand, and caused the seal of The United States to be affixed.

Done at the city of Washington, this 29th day of August, in the year of our Lord, 1865, and of the Independence of the United States of America the 90th.

ANDREW JOHNSON.

PROCLAMATION *of the President of The United States, abolishing Slavery in The United States.*—Washington, December 18, 1865.

WILLIAM H. SEWARD,

SECRETARY OF STATE OF THE UNITED STATES.

To all to whom these presents may come, greeting:

Know ye, that whereas the Congress of The United States on the 1st of February last passed a resolution, which is in the words following, namely:

A resolution submitting to the Legislatures of the several States a proposition to amend the Constitution of The United States.

Resolved by the Senate and House of Representatives of The United States of America in Congress assembled (two-thirds of both Houses concurring), That the following Article be proposed to the Legislatures of the several States as an amendment to the Constitution of The United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely:

\* See Pages 945, 947.]

Article XIII, Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within The United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this Article by appropriate legislation.

And whereas it appears from official documents on file in this Department that the amendment to the Constitution of The United States proposed, as aforesaid, has been ratified by the Legislatures of the States of Illinois, Rhode Island, Michigan, Maryland, New York, West Virginia, Maine, Kansas, Massachusetts, Pennsylvania, Virginia, Ohio, Missouri, Nevada, Indiana, Louisiana, Minnesota, Wisconsin, Vermont, Tennessee, Arkansas, Connecticut, New Hampshire, South Carolina, Alabama, North Carolina, and Georgia; in all 27 States;

And whereas the whole number of States in The United States is 36; and whereas the before specially-named States, whose Legislatures have ratified the said proposed amendment, constitute three-fourths of the whole number of States in The United States:

Now, therefore, be it known, that I, William H. Seward, Secretary of State of The United States, by virtue and in pursuance of section 2 of the Act of Congress, approved the 20th of April, 1818, entitled "An Act to provide for the publication of the laws of The United States, and for other purposes," do hereby certify that the Amendment aforesaid has become valid, to all intents and purposes, as a part of the Constitution of The United States.

In testimony whereof, I have hereunto set my hand, and caused the seal of the Department of State to be affixed.

Done at the city of Washington, this 18th day of December, in the year of our Lord 1865, and of the Independence of The United States of America the 90th.

WILLIAM H. SEWARD, *Secretary of State.*

BRITISH TREASURY WARRANT, *reducing the Rates of Postage on Letters and Newspapers transmitted from the United States to Foreign Ports in the West Indies; or between Foreign Ports in the West Indies and California, the West Coast of Mexico, or Central America, via Panama; or between Foreign Ports in the West Indies and Chili, Peru, Bolivia, Ecuador, British Columbia, Vancouver's Island, or the Sandwich Islands. December 1, 1866.*

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the

regulation of the duties of postage,"\* power is given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage payable by law on the transmission by the post of foreign or colonial letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid; and it is provided that the power thereby given should extend to any increase, or reduction, or remission of postage.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her present Majesty, intituled "An Act for giving further facilities for the transmission of letters by Post, and for the regulating the duties of Postage thereon, and for other purposes relating to the Post Office."†

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 18th year of the reign of Her present Majesty, intituled, "An Act to amend the laws relating to the stamp duties on newspapers, and to provide for the transmission by post of printed periodical publications."‡

And whereas it is expedient to reduce the rates of postage now payable upon certain letters and newspapers transmitted by the post between foreign ports in the *West Indies*, and from and to such foreign ports and certain ports in *North* and *South America*, to the extent and in the manner hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said herebefore recited Acts, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners (by the authority of the statute in that case made and provided), order, direct, and declare as follows:

1. On every letter transmitted by British packet boat, or partly by British and partly by *Foreign* packet boat, from the *United States of North America* to any foreign port in the *West Indies*, or from any one foreign port in the *West Indies*, to any other foreign port in the *West Indies*, or *viâ Panama* from any foreign port in the *West Indies* to *California*, the western coast of *Mexico*, or any port in *Central America*, without in any of

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

‡ See Vol. 10. Page 320.



such cases passing through the United Kingdom, there shall be charged and taken the several rates of British postage following; that is to say:

On every such letter, if not exceeding  $\frac{1}{2}$  of an ounce in weight, a rate of postage of 4*d*.

And on every such letter, if exceeding  $\frac{1}{2}$  of an ounce in weight, there shall be charged and taken the several further and additional and progressive rates of postage hereinafter mentioned.

2. On every letter transmitted by British packet viâ *Panama* from any foreign port in the *West Indies* to any port in *Chili*, *Peru*, *Bolivia*, or *Ecuador*, or from any port in *Chili*, *Bolivia*, or *Ecuador*, to any foreign port in the *West Indies*, there shall be charged and taken the several rates of British postage following; that is to say:

On every such letter, if not exceeding  $\frac{1}{2}$  of an ounce in weight, a rate of postage of 1*s*. 4*d*.

And on every such letter, if exceeding  $\frac{1}{2}$  of an ounce in weight, there shall be charged and taken the several further and additional and progressive rates of postage hereinafter mentioned:

3. On every letter transmitted by British packet boat, or partly by British and partly by *Foreign* packet boat, viâ *Panama* from any foreign port in the *West Indies* to *British Columbia*, *Vancouver's Island*, or the *Sandwich Islands*, there shall be charged and taken the several rates of postage (British and *Foreign* combined), following; that is to say:

On every such letter, if not exceeding  $\frac{1}{2}$  of an ounce in weight, a rate of postage of 1*s*. 2*d*.

And on every such letter, if exceeding  $\frac{1}{2}$  of an ounce in weight, there shall be charged and taken the several further and additional and progressive rates of postage hereinafter mentioned.

4. All such respective letters so transmitted as hereinbefore in the first, second, and third clauses of this Warrant respectively mentioned, if exceeding  $\frac{1}{2}$  of an ounce in weight, shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned; that is to say:

On every such letter, if exceeding  $\frac{1}{2}$  of an ounce in weight, and not exceeding 1 ounce in weight, 2 rates of postage.

And on every such letter, if exceeding 1 ounce, and not exceeding  $1\frac{1}{2}$  ounce in weight, 3 rates of postage;

And on every such letter, if exceeding  $1\frac{1}{2}$  ounce, and not exceeding 2 ounces in weight, 4 rates of postage:

And for every additional  $\frac{1}{2}$  of an ounce in weight, of any letter so transmitted respectively as aforesaid, above the weight of 2 ounces, there shall be charged and taken 1 additional rate of postage, and every fractional part of such additional

$\frac{1}{2}$  of an ounce in weight, shall be charged as an additional  $\frac{1}{2}$  of an ounce in weight: and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant, if not exceeding  $\frac{1}{2}$  of an ounce in weight.

5. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions and privileges granted by or under the said hereinbefore recited Acts, or either of them, or by or under any other Acts of Parliament, relating to the Post Office, or any of the privileges which officers, seamen, and soldiers employed in Her Majesty's service are by law entitled to, of sending and receiving letters by the post, subject to the regulations and restrictions in respect of the same.

6. On every packet consisting of a printed newspaper, transmitted by British packet boat, or partly by British and partly by *Foreign* packet boat, from the *United States of North America* to any foreign port in the *West Indies*, or from any one foreign port in the *West Indies* to any other foreign port in the *West Indies*, without in any case passing through the United Kingdom, there shall be charged and taken the several rates of British postage following, that is to say:

On every such packet, if not exceeding 4 ounces in weight, a rate of postage of 1*d*.

And on every such packet, if exceeding 4 ounces in weight, there shall be charged and taken the several further and additional and progressive rates of postage hereinafter mentioned.

7. On every packet consisting of a printed newspaper, transmitted by British packet boat, or partly by British and partly by *Foreign* packet boat, viâ *Panama*, from any foreign port in the *West Indies*, to *California*, the western coast of *Mexico*, or any port in *Central America*, *Chili*, *Peru*, *Bolivia*, or *Ecuador*, or viâ *Panama* from any port in *Chili*, *Peru*, *Bolivia*, or *Ecuador* to any foreign port in the *West Indies*, there shall be charged and taken the several rates of postage (British and *Foreign* combined) following, that is to say:

On every such packet, if not exceeding 4 ounces in weight, a rate of postage of 3*d*.

And on every such packet, if exceeding 4 ounces in weight, there shall be charged and taken the several further and additional and progressive rates of postage hereinafter mentioned.

8. On every packet consisting of a printed newspaper, transmitted by British packet boat, or partly by British and partly by *Foreign* packet boat, viâ *Panama* from any foreign port in the *West Indies* to *British Columbia*, *Vancouver's Island*, or the *Sandwich Islands*, there shall be charged and taken the

several rates of postage (British and *Foreign* combined) following, that is to say :

On every such packet if not exceeding 4 ounces in weight a rate of postage of 4*d*.

And on every such packet, if exceeding 4 ounces in weight there shall be charged and taken the several further and additional and progressive rates of postage hereinafter mentioned.

9. All such respective packets as hereinbefore in the 6th, 7th, and 8th clauses of this Warrant respectively mentioned, if exceeding 4 ounces in weight, shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned ; that is to say :

On every such packet, if exceeding 4 ounces in weight and not exceeding 8 ounces in weight, 2 rates of postage ;

And on every such packet, if exceeding 8 ounces and not exceeding 12 ounces in weight, 3 rates of postage ;

And on every such packet, if exceeding 12 ounces and not exceeding 16 ounces in weight, 4 rates of postage ;

And for every additional 4 ounces in weight of any such packet, above the weight of 16 ounces, there shall be charged, taken, and paid 1 additional rate of postage, and every fractional part of such additional 4 ounces in weight shall be charged as an additional 4 ounces in weight ; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 4 ounces in weight.

10. For the purposes of this Warrant every printed newspaper transmitted by the post under the provisions of this Warrant shall be deemed and considered a packet, and shall be charged and chargeable with a separate and distinct single rate of postage, or separate and distinct progressive and additional rates of postage according to the weight thereof as hereinbefore mentioned, notwithstanding two or more newspapers shall be enclosed and transmitted in one and the same cover, wrapper, envelope, or bundle, and form only one parcel or bundle of newspapers, and every printed supplement or additional sheet to any newspaper shall, for the purpose of charging the postage under this Warrant, be deemed a distinct newspaper unless sent in the same cover or together with the newspaper to which it is a supplement or addition.

11. Every packet which shall be transmitted by the post under the 6th, 7th, and 8th clauses of this Warrant shall be so transmitted in conformity with, and under and subject to, the several regulations, orders, directions, and conditions hereinafter contained ; that is to say :

Every such packet shall be sent without a cover, or in a cover open at the ends or sides;

No such packet shall contain any written letter or any communication in the nature of a letter closed or open, nor any enclosure, sealed or otherwise closed against inspection, nor any communication of the nature of a letter written in or upon any such packet or the cover thereof;

No such packet which in length shall exceed 2 feet (British), or in breadth or depth 1 foot (British), shall be forwarded by the post under the provisions of this Warrant, unless under the special authority of the Postmaster-General;

There shall be no word or communication printed on any newspaper after the publication thereof, or upon any cover thereof, nor any writing or marks upon any such newspaper, or upon any cover thereof, other than and except the name and address of the person to whom the same is sent but the name or title of such newspaper, and the name and address of the publisher, newsvendor, or agent by whom the same is sent, may be printed on the cover thereof;

There shall be no paper or thing enclosed in or with any newspaper.

12. The postage of every letter and packet transmitted by the post under the authority of this Warrant shall be paid at the time of the same being posted.

13. If any letter or packet be posted or be transmitted by the post, under this Warrant, which shall be otherwise than in conformity with the conditions and regulations hereinbefore established in relation thereto, the same shall and may be detained and opened, and shall be returned or given up to the sender thereof.

14. The several rates of postage chargeable on letters and printed newspapers transmitted by the post, under the provisions of this Warrant, shall be in lieu of any rates of postage now chargeable by law thereon.

15. The term "weight," used in this Warrant, shall mean British weight; and the several other terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her present Majesty.

16. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, or the hands of any two of them, at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed or altered, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which may be payable are to be paid.



17. This Warrant shall come into operation on the 1st day of January, 1867.

Whitehall, Treasury Chambers, the 1st day of December, 1866.

GERARD NOEL.  
HENRY WHITMORE.

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## URUGUAY.

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AGREEMENT *between the Government of Her Majesty and the Government of the Uruguay, relative to the Postal Communication between the two Countries, by means of British Government Vessels, or of other Vessels, freighted or maintained by the British Government. Signed in the English and Spanish Languages, at Monte Video, November 28, 1853.*

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ART. 1. THE British postage (to be levied in the United Kingdom) on letters and other packets posted in the United Kingdom and forwarded to the Republic of the Uruguay, or brought from the Republic of the Uruguay and delivered in the United Kingdom, when conveyed in British Government vessels, or by other vessels freighted or maintained by the British Government, and the Monte Videan postage (to be levied in the Republic of the Uruguay) on letters and other packets forwarded in like manner to the Republic of the Uruguay shall be as follows, viz.:

1st. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight, a British postage of 1s. and a Monte Videan postage of 1 real and 50 reis; above  $\frac{1}{2}$  an ounce but not exceeding 1 ounce, 2s. British, and 3 reals Monte Videan; above 1 ounce but not exceeding 2 ounces, 4s., and 6 reals; above 2 ounces but not exceeding 3 ounces, 6s. and 9 reals; and so on, 2s. British and 9 reals Monte Videan being charged for every additional ounce or fraction of an ounce.

2nd. On every newspaper a postage of 1d. British, and 10 reis Monte Videan.

3rd. On every printed book, including printed magazine, review, and pamphlet, not exceeding 8 ounces in weight, a postage of 6d. British, and 75 reis Monte Videan; above 8 ounces but not exceeding 1 pound, 1s., and 1 real and 50 reis; above 1 pound but not exceeding 2 pounds, 2s., and 3 reals; above 2 pounds but not exceeding 3 pounds, 3s., and 4 reals and 50 reis; and so on, 1s. British, and 1 real and 50 reis Monte Videan, being charged for every additional pound or fraction of a pound.

II. No postage whatever shall be charged in the Republic of the Uruguay on letters, newspapers, books, or other postal packets forwarded from Monte Video to the United Kingdom by British Government vessels, or by other vessels freighted or maintained by the British Government.

III. In order to enjoy the foregoing privilege of lower rates of postage, a newspaper, if sent from the United Kingdom, must have been printed and published there; and if sent from the Republic of the Uruguay, must have been printed and published in that Republic; moreover, the newspaper must either have no cover, or a cover open at the ends; must contain no inclosure; and must have no writing or other mark but the name and address of the person to whom it is sent.

The following regulations must be observed with regard to printed books:

1st. The packet must either have no cover, or a cover open at the ends.

2nd. It must not exceed two feet in length, width, or depth.

3rd. It must contain a single printed document only (whether book, pamphlet, or printed paper), the several sheets or parts thereof, where there are more than one, being sewed or bound together; and there must be no letter, open or sealed, nor any inclosure whatever.

4th. There must be no writing or other marks in or upon the book, &c., or upon the cover, except the simple address.

The printed name and address of the sender, however, being attached to the book, is not to be regarded as an infringement of this regulation.

IV. The official despatches of Her Majesty's Chargé d'Affaires at Monte Video, and of all other British functionaries in the Republic of Uruguay, shall be made up in bags separate from the ordinary and mercantile correspondence, and shall be exempt from all charge for postage in the post offices of the Republic.

These bags of despatches shall be delivered and received by the commanders of the British mail packets at the British Consulate in Monte Video, without the intervention of the Monte Videan Post Office.

V. Every mail intended for despatch from the Republic of the Uruguay by a British mail packet, must be delivered at the office of the British Packet Agent in Monte Video at least one hour before that appointed for the departure of the packet.

VI. This agreement shall come into operation on the 1st day of March, 1854, and shall thenceforth continue in force, subject to a power in either Government to terminate it by giving a notice of one year.

Done in duplicate at Monte Video, this 28th day of November, in the year of our Lord 1853.

(L.S.) LENNON-HUNT.

(L.S.) JUAN JOSE AGUIAR.

ADDITIONAL POSTAL CONVENTION *between Great Britain and the Republic of Uruguay. Signed in the English and Spanish Languages at Monte Video, March 31, 1859.*

[This Convention was not ratified. A British Treasury Warrant was issued June 16, 1859, to give effect to the Convention;\* but as it was not carried into effect on the part of the Uruguay Government, the Warrant was virtually repealed by a subsequent Warrant, dated September 19, 1860.]†

BRITISH NOTIFICATION, *relative to the non-application by certain British Claimants for Bonds awarded to them by the Mixed Commission of Claims established under the Convention between Great Britain and the Uruguay of June 23, 1857.‡ London, December 22, 1864.*

*Foreign Office, December 22, 1864.*

WHEREAS a Notification was inserted in the "London Gazette" of the 17th of August, 1858,§ that a Convention had been concluded between Her Majesty's Government and the Oriental Republic of the Uruguay for the settlement of claims of British subjects during the war, by means of a Mixed Commission, and whereas it was at the same time notified that the claims of persons residing within the territory of the Republic would be admitted up to the 21st of September, 1858, and claims of persons beyond the territory up to the 20th of December, 1858.

Notice is hereby given, that Her Majesty's Chargé d'Affaires at Monte Video, who is charged with the duty of carrying out the arrangements arrived at for the settlement of the claims, has forwarded to Earl Russell, Her Majesty's Principal Secretary of State for Foreign Affairs, the annexed list of British claimants who have not applied to him for the sums awarded to them in bonds of the Franco-English debt.

*Monte Video, October 29, 1864.*

A list of British claimants, under the Mixed Commission, whose awards in bonds have not yet been applied for:

Maria Bruthouse, died in hospital, a distressed British subject, place of birth and age unknown; award 700 dollars.

\* See Vol. 11. Page 645.

‡ See Vol. 10. Page 1049.

† See Vol. 11. Page 55.

§ See Vol. 10. Page 1050.

William Chalmers, is known to have left Monte Video, and is believed to have gone to the Argentine Confederation, nothing, however, can be heard of him; award 2,200 dollars.

Peter Cosgrove, was living on 16th October, 1862, at No. 8, Marble street, Liverpool; sum awarded 1,100 dollars.

John O'Brien, deceased, known as General O'Brien, in the service of Peru, is reported to have been married in Chili to a descendant of an Inca, by whom it is said he has left children; doubt may however be entertained as to this marriage, for had it taken place the agent here (Doctor Castellanos) of the claimant would by this time have established the fact. The deceased had relations in Ireland, one of whom is known to be his sister; amount 17,000 dollars.

John Yates, deceased, is believed to have left heirs in this country. No valid claim to the award has, however, as yet been brought forward. Sum awarded, 9,200 dollars.

With respect to the awards to William Chalmers and John O'Brien, a deduction will have to be made, when those sums are paid, for commission chargeable by the persons whom the deceased named as their agents here for the prosecution of their claims.

These parties, or their legal representatives, are hereby required to notify to Her Majesty's Secretary of State for Foreign Affairs their wishes as to the disposal of the bonds awarded to them, and to state whether they would desire to receive the bonds themselves, or the sum obtained by their sale at Monte Video, at the market price of the day.

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## VENEZUELA.

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POSTAL CONVENTION *between Great Britain and Venezuela.*  
*Signed in the English and Spanish Languages at Caracas, May*  
 1, 1861.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of the Republic of Venezuela, being desirous to regulate by means of a new Convention, the communications by Post between the two countries upon a more liberal and advantageous basis for the inhabitants of the two countries:

The undersigned, Frederick Doveton Orme, Esquire, Companion of the most Honourable Order of the Bath, Her Britannic Majesty's Chargé d'Affaires to the Republic of Venezuela, fur-



nished with full powers from the Postmaster-General of the United Kingdom of Great Britain and Ireland, and Hilarion Nadal, Secretary of State for Foreign Affairs of Venezuela, furnished with full powers from the Government of Venezuela;

After having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

ART. I. The postage to be collected in the United Kingdom upon every letter not exceeding  $\frac{1}{2}$  an ounce British in weight, posted in the United Kingdom and addressed to Venezuela, or posted in Venezuela and addressed to the United Kingdom, when conveyed by British Government vessels or by vessels freighted or maintained by order of the British Government, to and from St. Thomas or any other place that may be hereafter designated as a packet station, shall be 6*d*.

And the postage to be collected in Venezuela upon every letter not exceeding  $\frac{1}{2}$  an ounce British in weight, posted in Venezuela and addressed to the United Kingdom, shall be half a rial, or 6 $\frac{1}{4}$  cents currency.

The same postage to be collected in Venezuela upon letters for British Colonies or possessions.

No postage to be collected in Venezuela upon letters originating in and coming from Great Britain and British Colonies and possessions.

II. With respect to the charge upon letters above the weight of  $\frac{1}{2}$  an ounce British, the following scale of progression shall be applied in both countries, viz.:

For every letter above the weight of  $\frac{1}{2}$  an ounce and not exceeding 1 ounce, 2 rates of postage.

For every letter above 1 ounce and not exceeding 2 ounces, 4 rates of postage.

For every letter above 2 ounces and not exceeding 3 ounces, 6 rates of postage.

And so on, 2 rates being added for each additional ounce or fraction of an ounce.

III. The postage to be collected in the United Kingdom upon every newspaper, posted in conformity with the regulations required to be observed, originating in the United Kingdom and addressed to Venezuela, shall be 1*d*. per 4 ounces British, or fraction of 4 ounces British.

A like sum of 1*d*. per 4 ounces British, or fraction of 4 ounces British, shall be collected in the United Kingdom upon every newspaper originating in Venezuela and addressed to the United Kingdom.

The postage to be collected in Venezuela upon such newspapers coming from Great Britain and other foreign countries, shall be  $\frac{1}{2}$  a cent currency per 4 ounces British, or fraction of 4 ounces British.

A like sum of  $\frac{1}{2}$  a cent currency per 4 ounces British, or fraction of 4 ounces British, shall be collected in Venezuela upon newspapers originating in Venezuela and addressed to Great Britain and other foreign countries.

IV. Subject to the following conditions book packets may be sent from the United Kingdom of Great Britain and Ireland to Venezuela, and *vice versa*.

1st. Every packet must be sent either without a cover, or in a cover open at the ends or sides, so as to admit of the enclosures being removed for examination.

2nd. A book packet may contain any number of separate books or other publications, prints, or maps, and any quantity of parchment, paper, or vellum, and the books or other publications, prints, maps, &c., may be either printed, written, or plain, or any mixture of the three. Further, all legitimate binding, mounting, or covering of a book, publication, &c., or of a portion thereof, shall be allowed, whether such binding, &c., be loose or attached, as also rollers in the case of prints or maps, markers (whether of paper or otherwise) in the case of books, and, in short, whatever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto; but no patterns or books of patterns (unless consisting merely of paper) shall be allowed.

3rd. No book packet may contain any written letter, closed or open, or any enclosure sealed or otherwise closed against inspection, nor must there be any letter nor any communication of the nature of a letter written in any such packet, or in or upon its cover.

4th. No book packet must exceed 2 feet British in length, width, or depth.

V. The postage to be collected in the United Kingdom upon book packets posted in the United Kingdom and addressed to Venezuela, or posted in Venezuela and addressed to the United Kingdom, shall be as follows:

For a packet not exceeding 4 ounces British in weight, 3*d*.

For a packet above 4 ounces and not exceeding 8 ounces, 6*d*.

For a packet above 8 ounces and not exceeding 1 pound, 1*s*.

For a packet above 1 pound and not exceeding 1½ pound 1*s*. 6*d*.

For a packet above 1½ pound and not exceeding 2 pounds, 2*s*.

And so on, 6*d*. being added for each additional  $\frac{1}{2}$  pound or fraction of a  $\frac{1}{2}$  pound.

The postage to be collected in Venezuela upon such book packets shall be as follows:

For a packet not exceeding 4 ounces in weight, 1½ cent currency, (about  $\frac{1}{2}$ *d*.)

For a packet above 4 ounces and not exceeding 8 ounces, 2½ cents.

For a packet above 8 ounces and not exceeding 1 pound, 5 cents.

For a packet above 1 pound and not exceeding 1½ pound, 7½ cents.

For a packet above 1½ pound and not exceeding 2 pounds, 10 cents.

And so on, 2½ cents (about 1*d.*) being added for each additional ½ pound or fraction of ½ pound.

VI. No charge beyond the rates specified in the foregoing Articles, whether for delivery or for any other service, shall be made, either in the United Kingdom or in Venezuela, upon letters, newspapers, or book packets conveyed between the two countries respectively.

VII. The postage to be paid to the British Post Office for letters and book packets (including newspapers) conveyed by the British mail packets from a port in Venezuela to any other port, without passing through the United Kingdom, shall be as follows :

For every letter not exceeding ½ an ounce British in weight, 4*d.* sterling; and for letters of greater weight, an increased charge according to the scale laid down in Article II preceding.

For every book packet not exceeding 4 ounces British in weight, 1*d.* sterling; and for book packets of greater weight, an increased charge according to the scale laid down in Article V preceding.

VIII. The postage to be paid in the British Post Offices upon letters and newspapers which pass through the United Kingdom to or from foreign countries or British colonies shall be the same as laid down in Articles I and III of this Convention, augmented by the postage which is chargeable for the correspondence between Great Britain and such foreign countries or British Colonies.

IX. The British Post Office and the Post Office of Venezuela with the consent of their respective Governments, shall have power to modify, from time to time, by mutual consent, the arrangements made in virtue of all the preceding articles.

X. The present Convention shall come into operation after having been approved by the Government of Her Britannic Majesty and by the Congress of Venezuela, and shall then be substituted for the Convention of the 28th February, 1844,\* and shall continue in force until one of the two Contracting Parties shall have announced to the other, one year in advance, its intention to terminate it.

In witness whereof the respective Plenipotentiaries have

\* See Vol. 7. Page 1025.

signed in duplicate, in English and Spanish, the present Convention, and have affixed thereto their respective seals.

Done at Caracas, the 1st day of May, in the year of our Lord, 1861.

(L.S.) FREDERICK DOVETON ORME.

(L.S.) HILARION NADAL.

ADDITIONAL ARTICLES *to the Postal Convention between Great Britain and Venezuela, of May 1, 1861.\* Signed in the English and Spanish Languages at Caracas, January 16, 1864.*

IN pursuance of the power granted by Article IX, of the Convention of May 1st, 1861, between the United Kingdom of Great Britain and Ireland and the Republic of Venezuela, to the two Post Offices, to modify from time to time by mutual consent the arrangements made in virtue of the said Convention ;

The undersigned, Frederick Doveton Orme, Esquire, Companion of the most Honourable Order of the Bath, Her Britannic Majesty's Chargé d'Affaires to the Republic of Venezuela, and the Citizen Doctor Guillermo Fell Villegas, Secretary of State for the Departments of the Interior Justice, and lately of Foreign Relations of the Venezuelan Federation, duly authorized for that purpose, have agreed upon the following Articles :

ART. I. The postage to be collected in the United Kingdom upon every letter not exceeding  $\frac{1}{2}$  an ounce British in weight, posted in the United Kingdom and addressed to Venezuela, or posted in Venezuela and addressed to the United Kingdom, when conveyed by British Government vessels or by vessels freighted or maintained by order of the British Government to and from St. Thomas, or any other place that may be hereafter designated as a packet station, shall be 1s.

And the postage to be collected in Venezuela upon every letter not exceeding  $\frac{1}{2}$  an ounce British in weight, posted in Venezuela and addressed to the United Kingdom, shall be  $\frac{1}{2}$  a rial or 6 $\frac{1}{4}$  cents currency.

The same amount of postage as that stipulated in the last preceding paragraph shall be collected in Venezuela upon letters for British Colonies or possessions.

No postage shall be collected in Venezuela upon letters originating in and coming from Great Britain and British Colonies and possessions.

II. With respect to the charge upon letters above the weight of  $\frac{1}{2}$  an ounce British, the following scale of progression shall be applied in both countries, viz. :

\* See Page 958.



For every letter above the weight of  $\frac{1}{2}$  an ounce and not exceeding 1 ounce, 2 rates of postage.

For every letter above 1 ounce and not exceeding  $1\frac{1}{2}$  ounce, 3 rates of postage.

For every letter above  $1\frac{1}{2}$  ounce and not exceeding 2 ounces, 4 rates of postage.

And so on, 1 rate being added for every additional  $\frac{1}{2}$  an ounce, or fraction of  $\frac{1}{2}$  an ounce.

III. The postage to be paid to the British Post Office upon letters and newspapers which pass through the United Kingdom to or from foreign countries or British Colonies, shall be the same as that laid down in the first paragraph of Article I of these Articles, augmented by the postage which is chargeable for the correspondence between Great Britain and such foreign countries or British Colonies.

IV. The postage to be paid to the British Post Office for letters, newspapers, and book packets conveyed by a British mail packet from a port in Venezuela to any port in New Granada, and further conveyed also by a British mail packet from a port in New Granada to any port on the Western Coast of South America, without passing through the United Kingdom, shall be as follows:

For every letter not exceeding  $\frac{1}{2}$  an ounce British in weight, 1s. 4d. sterling; and for letters of greater weight, an increased charge according to the scale laid down in Article II, preceding.

For every newspaper, 4d. sterling per 4 ounces British, or fraction of 4 ounces British.

For every book packet, the same amount of postage that is required by this Article to be paid upon letters.

The postage to be paid to the British Post Office for letters and book packets (including newspapers) conveyed by the British mail packets from a port in Venezuela to any port other than one of those in this Article above referred to, without passing through the United Kingdom, shall be as follows:

For every letter not exceeding  $\frac{1}{2}$  an ounce British in weight, 4d. sterling; and for letters of greater weight, an increased charge according to the scale laid down in Article II, preceding.

For every book packet not exceeding 4 ounces British in weight, 1d. sterling, and for book packets of greater weight an increased charge according to the scale laid down in Article V of the Convention of May 1st, 1861.

V. The present Articles shall be considered as additional to the Convention which was signed at Caracas on the 1st of May, 1861, between the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of the Republic of Venezuela, and shall have the same force, validity, and duration, as if they were inserted in

that Convention, the stipulations of that Convention which are modified by these Articles remaining without effect.

They shall come into operation the 1st of April next, and shall be submitted to the approval of the competent authorities of each of the Contracting Parties.

In witness whereof the respective Plenipotentiaries have signed, in duplicate, in English and Spanish, the present additional Articles, and have affixed thereto their respective seals.

Done at Caracas the 16th day of January, in the year of our Lord, 1864.

(L.S.) F. DOVETON ORME, C.B.

(L.S.) GUILL<sup>o</sup> FELL VILLEGAS.

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters, Newspapers, and Books, &c., transmitted to or from the Republic of Venezuela, and between Venezuela and any British Colony or Foreign Country, through the United Kingdom. March 14, 1864.*

WHEREAS by an Act of Parliament passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the regulation of the duties of Postage,"\* power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage, payable by law on the transmission by the post of *Foreign or Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant, and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time by time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid, and it is provided that the power thereby given should extend to any increase or reduction or remission of postage.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her present Majesty,† intituled "An Act for giving further facilities for the transmission of letters by Post, and for the regulating the duties of Postage thereon, and for other purposes relating to the Post Office."

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act of Parliament,

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.

passed in the 18th year of the reign of Her present Majesty,\* intituled "An Act to amend the laws relating to the Stamp Duties on Newspapers, and to provide for the transmission by Post of printed periodical Publications."

And whereas it is expedient that the rates of postage now payable under a certain Warrant of the Commissioners of Her Majesty's Treasury, bearing date the 4th day of October, 1861,† on certain letters, newspapers, and packets should be altered in the manner hereinafter mentioned:

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers vested in us, in and by the said recited Acts, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us, the said Commissioners, by the authority of the statute in that case made and provided, order, direct, and declare as follows:

1. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight, posted in the United Kingdom addressed to the Republic of *Venezuela* or posted in the Republic of *Venezuela* addressed to the United Kingdom, and transmitted by the post between any part of the United Kingdom and any part of the Republic of *Venezuela* either direct or viâ the Island of *St. Thomas* (the sea conveyance between the United Kingdom, and the Republic of *Venezuela* or Island of *St. Thomas*, being by British packet boat), there shall be charged and taken an uniform rate of postage of 1s.

2. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight, posted in or addressed to any part of the Republic of *Venezuela* transmitted by the post between any port in the Republic of *Venezuela*, and any of Her Majesty's colonies, or any foreign country through the United Kingdom (the sea conveyance between the Republic of *Venezuela* and the United Kingdom being direct or viâ the Island of *St. Thomas* by British packet boat), there shall be charged and taken a British rate of postage of 1s. for such conveyance to or from any part of the United Kingdom, and for the conveyance of every such letter between the port in the United Kingdom of the departure or arrival of the packet boat or vessel (not being a packet boat) conveying the same, and the colony or foreign country to or from which the same shall be forwarded such a further or additional rate of postage as shall from time to time be charged and payable for British postage on letters not exceeding  $\frac{1}{2}$  an ounce in weight, posted or delivered at the port of the United Kingdom of the departure or arrival of the packet boat or vessel (not being a packet boat) conveying the same and transmitted direct between such port, and any such colony or foreign country, provided that in all cases where such additional rate includes

\* See Vol. 10. Page 320.

† See Vol. 11. Page 653.



both inland and sea services there shall be deducted from the said rate of 1s., the sum of 1d., in respect of the inland conveyance under this clause of every such letter sent through the United Kingdom.

3. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight transmitted by British packet boat from any port in the Republic of *Venezuela* to any port on the *Western Coast of South America*, and conveyed *viâ* any port in *New Granada*, without passing through the United Kingdom, there shall be charged and taken an uniform rate of postage of 1s. 4d.

4. On every letter not exceeding  $\frac{1}{2}$  an ounce in weight, transmitted by British packet boat from any port in the Republic of *Venezuela* to any other foreign port (except any port in the United Kingdom or on the *Western Coast of South America*) without passing through the United Kingdom, there shall be charged and taken a British rate of postage of 4d.

5. All such respective letters so transmitted as hereinbefore in the 1st, 2nd, 3rd, and 4th clauses of this Warrant mentioned, if exceeding  $\frac{1}{2}$  an ounce in weight, shall be subject to the several further and additional and progressive rates of postage hereinafter mentioned, that is to say :

On every such letter, if exceeding  $\frac{1}{2}$  an ounce in weight, and not exceeding 1 ounce in weight, there shall be charged, taken, and paid 2 rates of postage ;

And on every such letter, if exceeding 1 ounce and not exceeding  $1\frac{1}{2}$  ounce in weight, 3 rates of postage ;

And on every such letter if exceeding  $1\frac{1}{2}$  ounce, and not exceeding 2 ounces in weight, 4 rates of postage ;

And for every additional  $\frac{1}{2}$  of an ounce in weight of any such letter above the weight of 2 ounces there shall be charged, taken, and paid 1 additional rate of postage ; and every fractional part of such additional  $\frac{1}{2}$  of an ounce in weight shall be charged as an additional  $\frac{1}{2}$  of an ounce in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant if not exceeding  $\frac{1}{2}$  of an ounce in weight.

6. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions and privileges granted by the said hereinbefore recited Acts, or either of them, or by or under any other Acts of Parliament relating to the Post Office, or any of the privileges which officers, seamen, and soldiers employed in Her Majesty's Service are, by law, entitled to, of sending and receiving by the post, letters not exceeding  $\frac{1}{2}$  an ounce in weight, subject to the regulations and restrictions in respect of the same.

7. On every printed British newspaper posted in the United Kingdom, addressed to the Republic of *Venezuela*, and on every



printed newspaper posted in the Republic of *Venezuela*, addressed to the United Kingdom, transmitted by the post between the United Kingdom and the Republic of *Venezuela* direct or viâ the Island of *St. Thomas*, by British packet boat, there shall be charged, taken, and paid, in the United Kingdom, the rate of British postage hereinafter mentioned, that is to say, if not exceeding the weight of 4 ounces, a rate of 1*d.*, and if exceeding that weight but not exceeding the weight of 8 ounces, a rate of 2*d.*, and for every additional 4 ounces in weight of any such newspaper above the weight of 8 ounces, an additional rate of 1*d.* shall be charged, and any fractional part of such additional 4 ounces shall be charged as an additional 4 ounces in weight.

8. On every packet consisting of a printed newspaper, not exceeding 4 ounces in weight, transmitted by British packet boat from any port in the Republic of *Venezuela* to any port on the *Western Coast of South America*, and conveyed viâ any port in *New Granada* without passing through the United Kingdom, there shall be charged and taken an uniform rate of postage of 4*d.*

9. On every packet consisting of newspapers, books, publications, or works of literature or art, whether British, *Colonial*, or *Foreign*, not exceeding 4 ounces in weight, transmitted by British packet boat from any port in the Republic of *Venezuela* to any other foreign port (except any port in the United Kingdom or on the *Western Coast of South America*) without passing through the United Kingdom, there shall be charged and taken an uniform rate of postage of 1*d.*

10. All such respective packets as hereinbefore in the 8th and 9th clauses of this Warrant mentioned, if exceeding 4 ounces in weight, shall be subject to the several progressive and additional rates of postage hereinafter mentioned, that is to say :

On every such packet, if exceeding 4 ounces in weight and not exceeding 8 ounces in weight, 2 rates of postage ;

And on every such packet, if exceeding 8 ounces and not exceeding 1 pound in weight, 4 rates of postage ;

And on every such packet, if exceeding 1 pound and not exceeding 1½ pound in weight, 6 rates of postage ;

And for every additional ½ of a pound in weight of any such packet above the weight of 1½ pound, there shall be charged, taken, and paid 2 additional rates of postage, and every fractional part of such additional ½ of a pound in weight shall be charged as an additional ½ of a pound in weight ; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 4 ounces in weight.

11. All packets consisting of books, publications, or works of literature or art, whether British, *Colonial*, or *Foreign*, posted in the United Kingdom, addressed to the Republic of *Venezuela*, or posted in the Republic of *Venezuela*, addressed to the United Kingdom, may be transmitted by the post between the United Kingdom and the Republic of *Venezuela*, direct or viâ the Island of *St. Thomas* (the sea conveyance between the United Kingdom and the Republic of *Venezuela*, or Island of *St. Thomas*, being by British packet boat), and all such respective packets shall be transmitted in conformity with and under and subject to the several regulations, orders, directions, and conditions hereinafter mentioned and contained relating thereto. And all such respective packets so transmitted and chargeable with postage under this clause shall be subject to the several progressive and additional rates of postage hereinafter mentioned, that is to say:

On every such packet, if not exceeding 4 ounces in weight, there shall be charged, taken, and paid for the transmission thereof respectively as aforesaid, the uniform single rate of postage of 3*d.*;

And on every such packet exceeding 4 ounces in weight, there shall be charged, taken, and paid progressive and additional rates of postage as follows, that is to say:

On every such packet, if exceeding 4 ounces in weight, and not exceeding 8 ounces in weight, 2 rates of postage;

And on every such packet, if exceeding 8 ounces and not exceeding 1 pound in weight, 4 rates of postage;

And on every such packet, if exceeding 1 pound and not exceeding 1½ pound in weight, 6 rates of postage;

And for every additional ½ of a pound in weight of any such packet above the weight of 1½ pound, there shall be charged, taken, and paid 2 additional rates of postage, and every fractional part of such additional ½ of a pound in weight, shall be charged as an additional ½ of a pound in weight, and each progressive and additional rate chargeable under this clause, shall be estimated and charged at the sum which any such packet would be charged with under this Warrant if not exceeding 4 ounces in weight.

12. Every packet which shall be transmitted by the post under the 7th, 8th, 9th, 10th, and 11th clauses of this Warrant shall be so transmitted in conformity with and under and subject to the several regulations, orders, directions, and conditions hereinafter contained, that is to say:

Every British newspaper which shall be posted in the United Kingdom, under the provisions of this Warrant, shall be printed and published at intervals not exceeding 31 days between any two consecutive numbers or parts of such publication, and the same shall be registered by the proprietor or

printer thereof at the General Post Office in London, and shall be posted within 15 days from the date of its publication, and the title and date of the newspaper shall be printed at the top of every page thereof.

There shall be no word or communication printed on any newspaper transmitted by the post under the provisions of this Warrant after the publication thereof, or upon any cover thereof, nor any writing or marks upon any such newspaper or upon any cover thereof other than and except the name and address of the person to whom the same is sent, but the name of title of such newspaper, and the name and address of the publisher, newsvendor, or agent by whom the same is sent, may be printed on the cover thereof.

There shall be no paper or thing enclosed in or with any such newspaper.

No packet, which in length or breadth or width shall exceed the dimensions of two feet, shall be forwarded by the post under the 7th, 8th, 9th, 10th, and 11th clauses of this Warrant.

The terms "books, publications, or works of literature or art" in this Warrant used, shall, for the purposes of this Warrant, mean and comprise all such articles as in their general character are either literary, or consist of printed, written, engraved, or lithographed matter (although not strictly literary) including books (whether printed, written, or plain), publications or compilations (whether in print or in manuscript), almanacks printed or lithographed, letters and such artistic productions as prints, maps, (whether on paper or canvas, or cloth, and whether printed or written), and photographs, when not on glass or in frames containing glass, and any description of paper, parchment, or vellum (whether printed, lithographed, written upon or plain, or any mixture of the 4), together with any binding, mounting, or covering of or upon or belonging to any such article or production or any portion thereof, or of or belonging to any paper, parchment, or vellum, and including also any cases or rollers of prints or maps, book-markers (whether of paper or otherwise), pencils, pens, or other things usually appertaining to any such article or production, paper, parchment, or vellum, or necessary for its safe transmission, which shall be sent in the same packet with any such article or production to which they or it shall belong: Provided, nevertheless, that nothing herein contained shall extend to authorize the sending by the post, under the 9th, 10th, and 11th clauses of this Warrant, of any patterns, or books of patterns, or papers of patterns of any article or thing whatsoever, unless such patterns consist merely of paper, nor of any packet consisting of or containing any photographs, drawings, prints, or other contents which may be obviously of an obscene character.



Every packet transmitted by the post under the 7th, 8th, 9th, 10th, and 11th clauses of this Warrant shall be sent open at the ends or sides and either without a cover or in a cover or envelope open at the ends or sides.

No packet transmitted by the post under the 9th, 10th, and 11th clauses of this Warrant shall contain any written letter either closed or open, nor any written communication in the nature of a letter either closed or open (whether such letter or communication be addressed to or intended for the person to whom the packet shall be directed, or any other person), nor any enclosure sealed or otherwise closed against inspection nor any other enclosure not authorized by this Warrant sent in or with any such packet, nor shall there be any written letter or written communication in the nature of a letter in or upon any such packet or on the cover or envelope thereof.

Every packet transmitted by the post under the 7th and 11th clauses of this Warrant, and posted in the United Kingdom, shall be put into the Post Office at such hours in the day, and under all such regulations as the Postmaster-General may appoint.

Upon every packet transmitted by the post under the 7th and 11th clauses of this Warrant, which shall be posted in the United Kingdom, the postage thereof shall be paid at the time of the same being posted.

13. All letters, notices, and other communications (whether upon paper, parchment, or vellum), partly printed or partly lithographed and partly written, which if wholly written would not be considered letters or communications in the nature of letters, shall and may be transmitted by the post under and subject to the several regulations, orders, directions, conditions, and rates respectively in the 9th, 10th, 11th, and 12th clauses of this Warrant mentioned and contained.

14. Any letter, notice, or other communication (whether upon paper, parchment, or vellum), partly printed, or partly lithographed, and partly written, which if wholly written, would be considered a letter or a communication in the nature of a letter, shall not be entitled to the privilege of being transmitted by the post under or by virtue of the 9th, 10th, 11th, and 12th clauses of this Warrant, or the regulations, orders, directions, conditions, and rates therein respectively contained, and every such last-mentioned letter, notice, or other communication sent by the post shall be deemed and considered to be a letter or a communication in the nature of a letter within the intent and meaning of the 12th clause of this Warrant.

15. If any question shall arise whether any such letter, notice, or other communication is entitled to the privilege of a printed paper, so far as respects the transmission thereof by the



post, or of being sent by the post under or by virtue of the 9th, 10th, 11th, and 12th clauses of this Warrant, the same shall be referred to the determination of the Postmaster-General, whose decision thereupon shall be final.

16. If any packet sent or tendered, or delivered in order to be sent by the post under the 7th, 8th, 9th, 10th, and 11th clauses of this Warrant shall in length, or breadth, or width, exceed the dimensions of two feet, or if any such packet or the cover or envelope thereof shall not be open at the ends or sides, or if any such packet shall be sent otherwise than in conformity with the terms, conditions, and regulations hereinbefore in the 12th clause of this Warrant contained, every such respective packet shall and may be detained and opened, and at the option of the Postmaster-General shall be either returned or given up to the sender thereof, and every such respective packet on being so returned or given up, shall at the option of the Postmaster-General, be either free of postage, or be charged with any rate of postage he may think fit, not exceeding the postage to which it would have been liable as a letter.

17. If any packet sent or tendered or delivered in order to be sent by the post under the 11th clause of this Warrant from the United Kingdom to the Republic of Venezuela (any such packet posted in London and sent from any department or office in or connected with the public service of Her Majesty which shall keep a postage account with the General Post Office in London, and the postage thereof being charged in such account only excepted), shall be posted in the United Kingdom without any postage paid thereon, or with a postage paid thereon less in amount than the rate of postage to which such packet is liable under and by virtue of the regulations hereinbefore contained, every such packet shall be detained and opened, and at the option of the Postmaster-General shall be dealt with and chargeable in like manner as is hereinbefore directed with respect to any packet not open at the ends or sides or exceeding in length or breadth or width the dimensions of two feet.

18. The postage of every letter transmitted by the post under the provisions of this Warrant and posted in the United Kingdom, shall be paid at the time of the same being posted, either in money or by the proper postage stamp or stamps being affixed thereto, which stamp or stamps shall in every case be affixed or appear on the outside of every such letter, near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant, and if any such letter shall be not so prepaid, the same shall and may be detained and opened, and shall be returned or given up to the sender thereof.

19. The respective letters and packets transmitted by the

post under the provisions of this Warrant shall be subject to the several orders, directions, regulations, and rates of postage respectively contained in a certain Warrant of the Commissioners of Her Majesty's Treasury under the hands of two of the said Commissioners, bearing date the 19th day of February, 1855,\* relating to re-directed rates of postage upon letters and packets which shall be re-directed and again forwarded by the post.

20. The rates of postage chargeable on letters, newspapers, books, publications, or works of literature or art, and other printed papers transmitted by the post under the provisions of this Warrant shall be in lieu of the rates of British postage now chargeable thereon under or by virtue of a certain Warrant under the hands of the Commissioners of Her Majesty's Treasury, bearing date the 4th day of October, 1861,† and the same together with the whole of such Warrant are hereby repealed, revoked, and annulled.

21. Nothing herein contained shall be construed to extend to any letters, newspapers, books, publications, or works of literature, art, or other printed papers sent between the Republic of Venezuela and France, or sent otherwise than in closed mails between the Republic of Venezuela and any foreign country or British colony through France.

22. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act, passed in the 4th year of the reign of Her present Majesty.

23. The Commissioners for the time being of Her Majesty's Treasury may by Warrant under their hands duly made at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed or altered, or any of the orders, directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which may be payable are to be paid.

24. This Warrant shall come into operation on the 1st day of April, 1864.

Whitehall Treasury Chambers, the 14th day of March, 1864.

WILLIAM DUNBAR.

LUKE WHITE.

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\* See Vol. 10. Page 289.

† See Vol. 11. Page 653.

BRITISH ORDER IN COUNCIL *for the regulation of British Consular Jurisdiction in the Dominions of the Sultan of Zanzibar.*  
*Osborne, August 9, 1866.*

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*At the Court at Osborne House, Isle of Wight, the 9th day of August, 1866.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS by an Act of Parliament made and passed in the session of Parliament, holden in the 6th and 7th years of Her Majesty's reign, intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual," it is, amongst other things, enacted that it is and shall be lawful for Her Majesty to hold, exercise and enjoy any power or jurisdiction which Her Majesty now hath, or may at any time hereafter have, within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory:

And whereas Her Majesty hath power and jurisdiction in the dominions of His Highness the Sultan of Zanzibar and its dependencies:

And whereas it is expedient to make provision for the due and effectual exercise of such power and jurisdiction:

1. Now, therefore, in pursuance and by virtue of the said recited Act of Parliament, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that Her Majesty's Consuls appointed to reside in the dominions of the Sultan of Zanzibar shall have full power and authority to carry into effect, and to enforce by the means and in the manner hereinafter mentioned, and provided, the observance of the stipulations of any Treaty or Convention or of any regulations appended to any Treaty or Convention, now existing, or which may hereafter be made between Her Majesty, her heirs and successors, and the Sultan of Zanzibar, his heirs and successors; and to make and to enforce, by fine or imprisonment, or both, rules and regulations for the observance of the stipulations of any such Treaty or Convention, and for the peace, order, and good government of Her Majesty's subjects, being within the dominions of the Sultan of Zanzibar, his heirs and successors.

2. And it is further ordered, that a copy of all such rules and regulations made by the said Consul shall forthwith be

\* See Vol. 6. Page 500.



affixed, and kept affixed and exhibited in some conspicuous place in the public office of the said Consul, and that printed copies of the said rules and regulations shall, as soon as possible, be provided by the said Consul, and sold at a price not exceeding one dollar for each copy; and for the purpose of convicting any person offending against the said rules and regulations, and for all other purposes of law whatsoever, a printed copy of the said rules and regulations certified under the hand of the said Consul to be a true copy thereof, shall be taken as conclusive evidence of such rules and regulations and all things therein respectively contained, and no penalty shall be incurred or shall be enforced for the breach of any such rules and regulations to be hereafter made, until the same shall have been so affixed and exhibited for one calendar month in the public office of the Consul: Provided always, that any such rule or regulation made by Her Majesty's Consul, and to be enforced by a penalty, shall, before the first day on which the same shall be so affixed or exhibited, be transmitted to Her Majesty's Principal Secretary of State for Foreign Affairs for allowance or disallowance; and if any such rule or regulation shall be disallowed by Her Majesty's Principal Secretary of State for Foreign Affairs, the same shall cease to have effect from the receipt by the Consul of such disallowance, nevertheless, the Consul shall not be liable to be proceeded against in any of Her Majesty's Courts in regard to any act done by him under such rule or regulation previously to the receipt of its disallowance by such Consul.

3. And it is further ordered, that it shall be lawful for Her Majesty's Consul as aforesaid, upon information or upon the complaint of any person that a British subject has violated any of the stipulations of any Treaty or Convention, or of any regulations appended to any Treaty or Convention, between Her Majesty and the Sultan of Zanzibar, or has disregarded or infringed any of the rules or regulations for the observance of the stipulations of any such Treaty or Convention affixed and exhibited according to the provisions of the next preceding article of this Order, to summon before him the accused person and to receive evidence and to examine witnesses on oath, as to the guilt or innocence of such person in regard to the offence laid to his charge, and to award such penalty of fine or imprisonment against any person convicted of an offence against any such Treaty or Convention or appended regulations, or against the said rules and regulations, as may be specified therein respectively; and any charge against a British subject for a breach of any such Treaty or Convention, or appended regulations, or for a breach of such rules and regulations for the observance of any such Treaty, shall be heard and determined by the Consul without assessors: Provided always, that in no



case shall the penalty to be incurred by a breach of such rules and regulations exceed 500 dollars, or 3 calendar months' imprisonment.

4. And it is further ordered, that any charge against a British subject for a breach of rules and regulations other than those relating to the observance of Treaties shall, in like manner, be heard and determined by Her Majesty's Consul; and in all cases in which the penalty shall not exceed 200 dollars, or one calendar month's imprisonment, the Consul shall hear and determine the charge summarily without the aid of assessors; but where a penalty attached to a breach of the rules and regulations other than those relating to the observance of Treaties shall amount to more than 200 dollars, or to imprisonment for more than one calendar month, the Consul, before he shall proceed to hear the charge, shall summon two disinterested British subjects of good repute to sit with him as assessors, which assessors, however, shall have no authority to decide on the innocence or guilt of the person charged, or on the amount of fine and imprisonment to be awarded to him on conviction, but it shall rest with the Consul to decide on the guilt or innocence of the person charged, and on the amount of fine or imprisonment to be awarded to him: Provided always, that in no case shall the penalty to be attached to a breach of rules and regulations other than those for the observance of Treaties exceed 500 dollars, or 3 calendar months' imprisonment; and provided further, that in the event of the said assessors, or either of them, dissenting from the conviction of the party charged, or from the penalty of fine or imprisonment awarded to him by the Consul, the Consul shall take a note of such dissent, with the grounds thereof, and shall require good and sufficient security for the appearance of the person convicted at a future time, in order to undergo his sentence or receive his discharge; and in default of such security being given, it shall be lawful for the Consul to cause the person to be detained in custody until such security is given.

5. And it is further ordered, that if any person who shall have committed or been charged with any breach of or offence against any such Treaty or Convention, or any such rules and regulations as aforesaid, shall escape or remove from the Consular district within which the fact was committed, and shall be found within another Consular district, it shall be lawful for the Consul within which district such person shall be so found, to proceed against him in the same manner as if the fact had been committed within such district.

6. And it is further ordered, that all suits, disputes, differences, and causes of litigation of a civil nature arising between British subjects within the dominions of the Sultan of Zanzibar,

shall be heard and determined by Her Majesty's Consul, who shall be the sole judge and arbiter thereof respectively; subject nevertheless to an appeal against the decision of the Consul therein to the High Court of Bombay, in cases where the sum or matter at issue is of the amount or value of 200 dollars or upwards: Provided always, that the party intending so to appeal against the decision of the said Consul shall, within 15 days after the determination of the case by the Consul, by himself or his agent, give to the Consul notice in writing of his appeal to the said High Court of Bombay; whereupon the Consul shall, as speedily as possible, transmit to the said High Court all the documents which were produced before him in the case, and none other, together with a statement of the evidence taken before him in the case and of the grounds on which his decision was formed, and shall forthwith notify to the several parties the transmission of the said proceedings to the said High Court: Provided also, that it shall be lawful for the Consul to require from any person so appealing to the said High Court reasonable security, to consist in part of one or two sufficient sureties, to be approved by the Consul, that such person so applying will duly prosecute his appeal, and will abide by the decision to be given therein by the said High Court, and that in case such appeal shall fail, he will answer and satisfy all costs, loss, and damages sustained by the other party by reason of such appeal.

7. And it is further ordered, that it shall be lawful for Her Majesty's Consul to summon not less than 2 and not more than 4 disinterested British subjects of good repute to sit with him as assessors at the hearing of any suit, dispute, difference, or cause of litigation whatever of a civil nature brought before him for decision; and in case the sum sought to be recovered shall exceed 500 dollars such suit shall not be heard by the Consul without assessors, if within a reasonable time, such assessors can be procured; but the assessors aforesaid shall have no authority to decide on the merits of such suit; but in the event of such assessors, or any of them, dissenting from the decision of the Consul, the Consul shall enter the fact of such dissent and the grounds thereof in the minutes of the proceedings, and in case of appeal shall transmit the same to the High Court of Bombay, together with the documents relating to the suit.

8. And it is further ordered that it shall be lawful for Her Majesty's Consul to enforce his decision in favour of or against a British subject in a civil suit, dispute, difference or cause of litigation, by distress and sale, or imprisonment, in like manner as a decision of the High Court of Bombay in a civil suit is enforced within the same.

9. And it is further ordered, that in case of an appeal to the High Court of Bombay from the decision of Her Majesty's Consul, it shall be lawful for the said High Court, upon such terms as to costs and otherwise as it shall think proper, to admit any further legal evidence besides that adduced before the Consul, on its being established to the satisfaction of the said High Court, by oath or affidavit, that the party desiring to produce such further evidence, was ignorant of the existence of such evidence, or was taken by surprise at the hearing before the Consul, or was unable to produce it before the Consul after due and reasonable diligence and exertion on his part, or where, under the circumstances of the case, it shall appear to the said High Court that further evidence ought to be received.

10. And it is further ordered, that Her Majesty's Consul shall have power in any civil suit, dispute, difference, or cause of litigation, to examine on oath, or in such form and with such ceremonies as the witness may declare to be binding on his conscience, any witness who may appear before him, and shall have power, on the application of any party in such suit, to issue a compulsory order for the attendance of any person being a British subject who may be competent to give evidence in such suit; and any British subject who shall have been duly served with any such compulsory order, and with a reasonable notice of the day of hearing such suit, and upon his expenses of appearing as a witness having been paid or tendered to him by the party at whose application he shall have been ordered to attend, shall, on his wilful default to appear as a witness at the hearing of such suit, be punished with a fine not exceeding 100 dollars, or with imprisonment for a period not exceeding 30 days, at the discretion of said Consul.

11. Every witness, being a British subject, so examined on oath, whether before the Consul or before a Kadi or other officer of the Zanzibar Government, duly authorized to act judicially, who shall in any such examination give wilfully false testimony may be convicted of and punished for the crime of wilful and corrupt perjury.

12. And it is further ordered, that it shall be lawful for Her Majesty's Consul to promote the settlement of any civil suit, dispute, difference, or cause of litigation, by amicable agreement between the parties; and, with the consent of the several parties, to refer the decision of a suit or contention to one or more arbitrators, and to take security from the parties that they will be bound by the result of such arbitration; and the award of such arbitrator or arbitrators shall be, to all intents and purposes, deemed and taken to be a judgment or sentence of Her Majesty's Consul in such civil suit, dispute, difference, or cause of litigation, and shall be entered and recorded as such, and



shall have the like effect and operation, and shall be enforced accordingly, and shall be final and conclusive to all intents and purposes, and shall not be open to appeal, unless the same shall, within a reasonable time, have been ordered by the Consul to be set aside, on the ground that it is not final, or is defective, or that the arbitrator or arbitrators have exceeded their authority, or have been guilty of misconduct in the matter.

13. And it is further ordered, that it shall be lawful for Her Majesty's Consul to cause to be apprehended and brought before him any British subject who may be charged with having committed any crime or offence within the dominions of the Sultan of Zanzibar; and such Consul shall thereupon proceed with all convenient speed to inquire of the same, and for such purpose shall have power to examine on oath, or in such form and with such ceremony as the witness shall declare to be binding on his conscience, any witness who may appear before him to prove the charge, and also shall have power to compel any person, being a British subject, who may be competent to give evidence as to the guilt or innocence of the party so charged to appear and give evidence, and to punish the wilful default of any such person to appear and give evidence, after reasonable notice of the day of the hearing of such charge, by fine or imprisonment, in like manner as is provided in Article 10 of this Order, and shall examine every such witness in the presence and hearing of the party accused, and shall afford the party accused all reasonable facility for cross-examining such witness, and shall cause the deposition of every such witness to be reduced to writing, and the same to be read over and, if necessary, explained to the party accused, together with any other evidence that may have been urged against him during the course of the inquiry, and shall require such accused party to defend himself against the charge brought against him, and, if necessary, advise him of the legal effect of any voluntary confession, and shall take the evidence of any witness whom the accused party may tender to be examined in his defence; and every witness, being a British subject, so examined as aforesaid who shall upon any such occasion give wilfully false testimony may be convicted of, and punished for the crime of wilful and corrupt perjury: and, when the case has been fully inquired into, and the innocence or guilt of the person accused has been established to the satisfaction of the Consul, the Consul, as the case may be, shall either discharge the party accused from custody if satisfied of his innocence, or proceed to pass sentence on him if satisfied of his guilt; and it shall be lawful for the Consul, having inquired of, tried, and determined in the manner aforesaid any charge which may be brought before him, to award to the party convicted any amount of



punishment not exceeding imprisonment for one calendar month, or a fine of 200 dollars.

14. And it is further ordered, that if the crime or offence whereof any person, being a British subject, may be accused before Her Majesty's Consul as aforesaid, shall appear to such Consul to be of such nature as, if proved, would not be adequately punished by the infliction of such punishment as aforesaid, it shall be lawful for such Consul to summon not less than 2, or not more than 4, disinterested British subjects of good repute to sit with him as assessors for inquiring of, trying, and determining the charges against such person; and the Consul, when he shall try any such charge with the assistance of assessors as aforesaid shall, if he is himself convinced of the guilt of the party accused, have power to award any amount of punishment not exceeding imprisonment for 12 calendar months, or a fine of 1000 dollars; and the assessors aforesaid shall have no authority to decide on the innocence or guilt of the party accused, or on the amount of punishment to be awarded to him on conviction; but in the event of the said assessors, or any of them, dissenting from the conviction of, or from the amount of punishment awarded to, the accused party, the assessors or assessor so dissenting shall be authorized to record in the minutes of the proceedings the grounds on which they or he may so dissent, and the Consul shall forthwith report to the High Court at Bombay the fact of such dissent, and of its having been so recorded in the minutes of the proceedings, and shall, as soon as possible, lay before the said Court copies of the whole of the depositions and proceedings, with the dissent of the assessor or assessors recorded therein; and it shall be lawful thereupon for the Court, by warrant under seal addressed to the Consul, to confirm, or vary, or remit altogether, as to the Court may seem fit, the sentence and punishment awarded to the party accused, and such Consul shall give immediate effect to the injunction of any such warrant: Provided always, that in any case in which the assessor or assessors shall dissent from the conviction of, or from the amount of punishment awarded to the accused party, it shall be lawful for Her Majesty's Consul to take good and sufficient bail from the accused party to appear and undergo the punishment awarded to him, provided the same or any portion thereof be confirmed by the Court, which punishment so confirmed shall commence and take effect from the day on which the decision of the Court shall be notified to the party accused.

15. And in order more effectually to repress crimes and offences on the part of British subjects within the dominions of the Sultan of Zanzibar, it is further ordered, that it shall and may be lawful for Her Majesty's Consul to cause any British subject who shall have been twice convicted before him of any

crime or offence, and punished for the same, and who, after execution of the sentence of the Consul, on any second conviction, shall not be able to find good and sufficient security to the satisfaction of the Consul for his future good behaviour, or who, having been deported under any sentence, shall, during such sentence return, to be sent out of the dominions of the Sultan of Zanzibar; and to this end the Consul shall have power and authority as soon as may be practicable after execution of the sentence on such second conviction, to send any such twice convicted party, or any person so returning as aforesaid, to Bombay, and in the meantime to detain such party in custody until a suitable opportunity for sending him out of the dominions of the Sultan of Zanzibar shall present itself; and any persons so to be sent out of the said dominions as aforesaid shall be embarked in custody on board of one of Her Majesty's vessels of war, or, if there shall be no such vessel available for such purpose, then on board any British vessel bound to Bombay; and it shall be lawful for the Commander of any of Her Majesty's ships of war, or of any British vessel bound to Bombay, to receive any such person as aforesaid under a warrant from the Consul to him addressed, and thereupon to convey such person in custody to Bombay as aforesaid, in the same manner as if he were a distressed British subject, unless he shall be willing and able himself to defray the expenses of his passage.

16. And it is further ordered, that in any case in which any British subject shall be accused before Her Majesty's Consul of the crime of arson, or housebreaking, or cutting and maiming, or stabbing or wounding, or of any assault endangering life, or of wilfully causing any bodily injury dangerous to life, or of wilful or corrupt perjury, or of engaging in or being accessory to the purchase or sale of slaves, or of having slaves illegally in his possession, the proceedings before the Consul shall be carried on with the aid of assessors convened in the manner aforesaid; and it shall be lawful for the Consul, if to him it shall seem fit, to cause any person convicted before him of any of the crimes aforesaid, over and above any fine or imprisonment which may be awarded to such person, to be sent out of the dominions of the Sultan of Zanzibar for such time as to him shall seem meet, in the manner pointed out in the next preceding Article of this order, notwithstanding the crime laid to the charge of such person may be the first of which he has been convicted before the Consul.

17. And it is further ordered, that it shall be lawful for Her Majesty's Consul within the dominions of the Sultan of Zanzibar, upon information laid before him by one or more credible witnesses that there is reasonable ground to apprehend that any British subject is about to commit a breach of the public

peace, to cause such British subject to be brought before him, and to require such British subject to give sufficient security to keep the peace; and in the event of any British subject being convicted of, and punished for a breach of the peace, to cause such British subject, after he shall have undergone the punishment which may have been awarded to him by the Consul, to find security for his good behaviour; and in the event of any British subject who may be required as aforesaid to give sufficient security to keep the peace, or to find security for his good behaviour, being unable or wilfully omitting to do so, then and in any such case it shall be lawful for Her Majesty's Consul to send such British subject out of the dominions of the Sultan of Zanzibar, in the manner pointed out in Article 15 of this Order.

18. And it is further ordered, that in all cases in which a British subject shall have been sent out of the dominions of the Sultan of Zanzibar, as provided in the 3 next preceding Articles of this Order, the Consul sending him out shall forthwith report such act of deportation, with the grounds of his decision thereon, to the High Court at Bombay.

19. And it is further ordered, that it shall be lawful for Her Majesty's Consul to cause to be apprehended and brought before him any British Subject who may be charged with smuggling or importing into the dominions of the said Sultan any goods whereon any duty shall be charged or payable to the said Sultan, with the intent to evade the payment of such duty, or any goods the importation whereof shall be prohibited; and such Consul shall thereupon proceed with all convenient speed to inquire into the same on oath, or solemn affirmation, and to hear the witnesses on both sides, with like powers and in like manner in all respects as is provided by Article 10 of this Order. And it shall be lawful for the Consul, having inquired into and heard the said charge, to determine the same, and if he shall find the party guilty, if the charge against him shall be of importing into the said dominions prohibited goods, then to award him to pay a fine not exceeding treble the value of the said goods at the current price of the day; and if the charge shall be of smuggling or importing goods with intent to evade the payment of duty as aforesaid, then to award him to pay a fine not exceeding treble the amount of duties leviable thereon, and in case of non-payment of any such fine or fines, to award him to be imprisoned for a period not exceeding 3 months, or it shall be lawful for such Consul, without awarding the payment of any fine, to award that such party shall be imprisoned for a period not exceeding 6 months in such place as he shall appoint: Provided always, that no British subject charged only with importing prohibited goods shall be apprehended, unless and until he shall have had one week's notice to appear and



answer the charge, and shall have refused, failed, or omitted so to appear.

20. And it is further ordered, that in cases of common assault it shall be lawful for the Consul before whom the complaint is made, to promote reconciliation between the parties, and to suffer compensation and amends to be made, and the proceedings thereby to be finally stayed.

21. And it is further ordered, that a minute of the proceedings in every case heard and determined before the Consul, in pursuance of this Order, shall be carefully drawn up, and be signed by the Consul, and shall, in cases where the Assessors are present, be open for the inspection of such assessors and for their signature if they therein shall concur; and every such minute, together with the depositions of the witnesses, shall be preserved in the public office of the said Consul.

22. And it is further ordered, that save and except as regards offences committed by British subjects against the stipulations of any Treaty between Her Majesty and the Sultan of Zanzibar, or against any rules and regulations for the observance of the stipulations of any such Treaty or Convention, duly affixed and exhibited according to the provisions of Article 2 of this Order, or against any rules and regulations for the peace, order, and good government of Her Majesty's subjects being within the dominions of the Sultan of Zanzibar, no act done by a British subject within the dominions of the said Sultan shall by Her Majesty's Consul be deemed and taken to be a crime or misdemeanour, or offence rendering the person committing it amenable to punishment, which, if done within any part of Her Majesty's dominions, would not by a court of justice having criminal jurisdiction in Her Majesty's dominions, have been deemed and taken to be a crime or misdemeanour or offence rendering the person committing it amenable to punishment; and Her Majesty is pleased to appoint, by and with the advice of Her Privy Council, Her Majesty's territory of Bombay as the place where crimes and offences committed by British subjects within the dominions of the Sultan of Zanzibar, which it may be expedient shall be inquired of, tried, determined, and punished within Her Majesty's dominions shall be so inquired of, tried, determined, and punished; and Her Majesty's Consul resident in Zanzibar shall have authority to cause any British subject charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to him, to be sent for trial at Her Majesty's said territory of Bombay.

23. And it is further ordered, that it shall be lawful for Her Majesty's Consul to cause any British subject charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to him, to be sent, in any of Her Majesty's ships of war, or in any British vessel, to Her Majesty's



territory of Bombay, for trial before the High Court of the said territory; and it shall be lawful for the Commander of any of Her Majesty's ships of war, or of any British vessel, to receive any such person on board, with a warrant from the said Consul addressed to the Chief Magistrate of Police of the said territory; and thereupon to keep and detain in lawful custody, and to convey him in custody to Bombay, and on his arrival there to deliver him, with the said warrant, into the custody of the said Chief Magistrate of Police, or other officer within the said territory lawfully acting as such, who, on receipt of the said warrant, and of the party therein named, shall be authorized to commit, and shall commit, such party so sent for trial to the common gaol of the said territory; and it shall be lawful for the keeper of the said common gaol to cause such party to be detained in safe and proper custody, and to be produced upon the order of the said High Court; and the High Court at the sessions to be holden next after such committal shall proceed to hear and determine the charge against such party, and to punish him for the same, if found guilty, in the same manner as if the crime with which he may be charged had been committed within Her Majesty's said territory of Bombay.

24. And it is further ordered, that Her Majesty's Consul, on any occasion of sending a prisoner to Bombay for trial shall observe the provisions made with regard to prisoners sent for trial to a British colony in an Act passed in the 6th and 7th years of Her Majesty's reign, intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual."

25. And it is further ordered, that the High Court of Bombay shall have and may exercise, concurrently with Her Majesty's Consul, authority and jurisdiction in regard to all suits of a civil nature between British subjects arising within any part of the dominions of the Sultan of Zanzibar: Provided always, that the said High Court shall not be bound, unless in a fit case it shall deem it right so to do, by writ of certiorari or otherwise, to debar or prohibit the Consul from hearing and determining, pursuant to the provisions of the several Articles of this Order, any suit of a civil nature between British subjects, or to stay the proceedings of the Consul in such matter.

26. And it is further ordered, that all fines and penalties imposed under this Order may be levied by distress and seizure, and sale of ships, and of goods and chattels; and no bill of sale, mortgage, or transfer of property made by a party accused after his apprehension, or with a view to securing such party against any crime or offence committed or to be committed by him, or against the consequences thereof, shall avail to defeat any of the provisions of this Order.

27. And it is further ordered, that it shall be lawful for Her Majesty's Consul, from time to time, to establish rules of practice to be observed in proceedings before him, and to make regulations for defraying the expenses of witnesses in such proceedings, and the cost of criminal prosecutions, and also to establish rates and scales of fees to be taken in regard to civil suits heard and determined before the said Consul; and it shall be lawful for the said Consul to enforce by seizure and sale of goods, or, if there be no sufficient goods, by imprisonment, the payment of such established fees, and of such costs or expenses as may be adjudged against the parties, or any of them: Provided always, that a table specifying the rates of fees to be so taken shall be affixed and kept exhibited in the public office of the said Consul.

28. And it is further ordered, that all fees, penalties, fines, and forfeitures levied under this Order, save and except such penalties as may by Treaty be payable to the Sultan of Zanzibar, shall be paid to the public account, and shall be applied in diminution of the public expenditure on account of Her Majesty's Consulate in Zanzibar: Provided always, that in the event of any of the Zanzibar authorities declining to receive fines payable to the Government of Zanzibar as aforesaid, the same shall also be paid to the public account, and applied in the manner last mentioned.

29. And it is further ordered, that Her Majesty's Consul within the dominions of the Sultan of Zanzibar shall, for and within the said dominions, and for vessels and persons coming within those dominions, and in regard to vessels captured on suspicion of being engaged in the Slave Trade within those dominions, have all such jurisdiction as for the time being ordinarily belongs to Courts of Vice-Admiralty in Her Majesty's possessions abroad. And it is further ordered, that it shall be lawful for Her Majesty's Consul to grant probate of will or letters of administration to the intestate estate of any British subject, or any native of a State or place under British protection, who shall die and leave property within the dominions of the Sultan of Zanzibar; and if such probate or letters of administration shall not be applied for within 30 days after the death of the deceased person, it shall be lawful for the Consul to administer to the estate of such person, and for so doing to reserve to himself out of the proceeds of such estate a commission not exceeding  $2\frac{1}{2}$  per cent. on the account thereof.

30. And it is further ordered, that a register shall be kept by Her Majesty's Consul of all British subjects, and of all natives of British-protected States in India who may claim British protection, residing within the dominions of the Sultan of Zanzibar; and that every British subject now residing within

such dominions who shall not have been already enrolled in such Consular register, shall, within a reasonable time after the promulgation of this Order, such time to be specified in a notice affixed and publicly exhibited in the Consular Office, apply to the Consul to be enrolled in such register; and every British subject who may arrive within the said dominions (except British subjects borne on the muster-roll of any British ship arriving in any port of Zanzibar), shall, within a reasonable time after his arrival, such time to be specified as aforesaid, also apply to the Consul to be enrolled in such register; and any British subject who shall refuse or neglect to comply to be so enrolled as hereinbefore mentioned, and who shall not excuse such refusal or neglect to the satisfaction of the Consul, shall not be entitled to be recognized or protected as a British subject in respect to any suit, dispute, or difficulty in which he may have been, or may be, engaged or involved within the dominions of the Sultan of Zanzibar, at any time when he shall not have been or shall not be so enrolled.

31. And it is further ordered, that Her Majesty's Consul shall and may exercise all or any of the powers which, by any Act or Acts of the Imperial Parliament for the regulation of merchant seamen, or for the regulation of the mercantile marine, may now or at any time hereafter be exercised by any justice or justices of the peace within Her Majesty's dominions.

32. And it is further ordered, that nothing in this Order contained shall be deemed or construed to prevent Her Majesty's Consul within the dominions of the Sultan of Zanzibar from doing or performing any act whatsoever which British Consuls within any other State in amity with Her Majesty are by law, usage, or sufferance entitled or enabled to do or perform.

33. And it is further ordered, that every action or suit brought against Her Majesty's Consul by reason of anything done under the authority of this Order shall be commenced within 6 calendar months next after the doing thereof, and not otherwise; and the defendant in every such action or suit shall be entitled to the benefit of the provisions made with respect to defendants in actions or suits in the said hereinbefore recited Act of the 6th and 7th years of Her Majesty's reign.

34. And it is further ordered, that the word "Consul" in this Order shall include every person duly authorized to act in the aforesaid capacity, within the dominions of the Sultan of Zanzibar; and that, in the construction of this Order, words importing the singular number shall, if necessary, be understood to include several persons, matters, or things; and words importing the masculine gender only shall, if necessary, be understood to import the feminine gender, unless there be



something in the subject or context repugnant to such construction.

35. And it is further ordered, that the provisions of this Order, relating to British subjects, shall extend and apply to all subjects of Her Majesty, whether by birth or by naturalization, and also to all persons enjoying Her Majesty's protection in the dominions of the Sultan of Zanzibar: And it is further ordered, that this Order shall take effect on and after the 1st day of September next.

36. And the Right Honourable Viscount Cranborne and the Right Honourable Lord Stanley, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein, as to them may respectively appertain.

ARTHUR HELPS.

RULES AND REGULATIONS *framed under Her Majesty's Order in Council of the 9th of August, 1866, by Her Majesty's Political Agent and Consul at Zanzibar. February 28, 1867.*

CIVIL JUSTICE.

*Summary Procedure for Claims under 200 dollars.*

1. THERE is no appeal from the Consular Court in matters where the claim is under 200 dollars. Proceedings shall be commenced by summons (Form 1), to be issued without application in writing, and the suit shall be heard and determined in a summary way.

2. The summons shall be served on the defendant or defendants within the time and in the manner directed by the Court.

3. A defendant shall not be bound to attend personally to answer the summons, unless required expressly by the summons so to do; but he must attend personally if summoned as a witness.

*Procedure for Claims above 200 dollars.*

4. Proceedings for claims above 200 dollars shall be originated in the same manner as in the case of summary procedure; but they shall be conducted in the manner set forth in the 6th and 7th sections of the Order in Council before quoted.

5. Decisions and judgments shall be delivered and read in open court, in presence of the parties concerned, or their agents.

6. If the judgment of the court is reserved at the hearing, parties to the suit shall be summoned to hear judgment, unless



the court at the hearing states the time at which judgment will be delivered, in which case no summons shall be issued.

7. Any party to a civil suit is entitled to obtain a copy of judgment, certified under the seal of the court.

8. When the judgment is one directing the payment of money, it shall be drawn up according to Form 2; and if it be one directing some act to be done other than the payment of money, according to Form 3.

9. Every person, not being a party to a suit, in whose favour an order is made, is entitled to enforce obedience thereto by the same process as if he were a party to the suit.

10. A party directed by a decree to pay money, or to do any other act, is bound to obey the decree, on being duly served with it, and without any demand for payment or performance.

11. If the decree is not duly fulfilled, the court shall, unless it sees good reason to the contrary, on application of the person prosecuting the decree or order, issue, under its seal, a warrant of execution, directed to any person it may see fit to appoint, who shall be thereby empowered to levy the money ordered to be paid, with the costs of execution, by distress and sale of the goods of the disobedient person, wherever found, within the Zanzibar dominions.

12. The person executing the warrant may, by virtue thereof, seize any of the goods of the person against whom execution issues, except the wearing apparel and bedding of himself and his family, and the tools and implements of his trade to the value of 25 dollars, which shall, to that extent, be protected from seizure.

13. No sale of goods seized shall take place till after five days following the day of seizure; and until the day of sale the goods shall be deposited by the officer in some fit place, or they may remain in the custody of a fit person approved by the court, and put in possession by the officer.

14. The expense of a debtor's maintenance in prison must be defrayed in the first instance by the person prosecuting the decree, and may be recovered by him in such manner as the court may direct.

15. Such expense shall be estimated by the court, and shall be paid at such times and in such manner as the court may direct. In default of payment, the debtor may be discharged if the court thinks fit.

16. When the decree is one directing some act to be done other than the payment of money, and the person directed to do the act refuses or neglects to do it, the court may, on the application of the party prosecuting the decree, issue, under its seal, a warrant of arrest, and detain the disobedient party in custody until further orders.

17. In case the person against whom the warrant of arrest issues cannot be found, or is taken and detained in custody under the warrant, without obeying the decree, then the person prosecuting the decree shall be entitled to an order of sequestration against his property.

18. All deeds, of the nature of deeds of sale or of mortgage of houses and land in the Island of Zanzibar, in which a British subject is a contracting party shall be registered at the time of execution, or within a reasonable time afterwards, at the Consulate. Should a British subject fail to fulfil this Order, the court may, in the event of any suit arising in which it is concerned, decline to receive such deed in evidence. Nevertheless, this shall be no bar to its being received in any proceedings instituted against him by the subject of another State.

19. Proceedings by, or on behalf of, or against a partnership, must be taken in the several names of the partners as individuals, and not in the name of the firm or otherwise.

20. Every natural-born British subject shall cause himself to be duly registered, in a register kept for the purpose at the Consulate, within 30 days after his arrival at Zanzibar, or within 30 days after the publication of these rules; failing which, if he does not justify his neglect to the satisfaction of the Consul, he shall not be entitled to be recognized or protected as a British subject. Nevertheless, such neglect shall not be held to exonerate him from the consequences of any act contrary to the law which, as a British subject, he is bound to obey.

21. All subjects of protected States in India shall cause themselves to be registered at the Consulate within 30 days after their arrival in Zanzibar, or within 30 days after the publication of these rules; failing which, they shall not be considered as being entitled to British protection.

N.B.—Such as have already registered themselves are not required to do so again.

22. Bugalas, kanjas, and other small vessels coming under the category of "country craft," owned by natives of India, resident at Zanzibar, and employed only in the coasting trade, shall take out a licence or register at the Consulate, to be renewed at the expiration of 12 months. Such as are owned by natives of protected States shall carry the colours of their respective countries, and such as belong to natural-born British subjects shall fly the ordinary red ensign.

23. Other vessels must comply with the requirements of the Merchant Shipping Acts of Great Britain or British India, according as they are owned by European or Asiatic subjects of Her Majesty.

## CRIMINAL JUSTICE.

24. The Indian Penal Code shall be considered the criminal law to which British subjects at Zanzibar are amenable, except in so far as any of the provisions thereof may be manifestly inapplicable, of which the court shall be the judge.

25. Persons charged with a criminal offence may be summoned to appear before the court to answer the said charge (Form 4), or may be apprehended in the first instance on a warrant according to the discretion of the court (Form 5).

26. If the person summoned does not obey the summons, the court may issue a warrant for his apprehension (Form 6).

27. Where it is shown to the court that any British subject is likely to give material evidence in any case, the court may issue a summons (Form 7) for his attendance, and if he fails to obey this, and does not justify his failure to the satisfaction of the court, then the court may issue a warrant to compel his attendance.

28. If, on the appearance of the person summoned, he refuses to take an oath, or having taken an oath, he refuses to answer any question put to him, the court may commit him to prison for not more than seven days.

29. An accused person may be admitted to bail at the discretion of the court, and shall, in such a case, together with such sureties as the court may direct, enter into a recognizance accordingly (Form 8).

30. If any person wilfully obstructs, by act or threat, an officer of the court, in the performance of his duty:

Or, within or close to the place where the court is sitting, wilfully behaves in a violent, threatening, or disrespectful manner, to the disturbance of the court, or the terror of others resorting thereto:

Or, wilfully insults any Consular officer, or assessor, or clerk, or officer of the court, during his sitting or attendance in court, or in going to or returning from it:

He shall be liable to be immediately apprehended by order of the court, and to be punished with a fine of not more than 25 dollars, or imprisonment for not more than 7 days, or to be both fined and imprisoned, as aforesaid, at the discretion of the court.

31. In places where there is no British Consular prison, or no other place for the detention of a debtor in custody, or a criminal prisoner, except the prison of the Zanzibar Government, the court shall not commit such prisoner if a duly qualified physician or surgeon shall certify that it is unfit for the purpose, due regard being had to the habits and race of persons whom it is intended to incarcerate.

32. The expression "the court" means or includes such

35. The provisions of Her Majesty's Order in Council, passed on the 9th day of August, 1866,\* are binding on all British subjects, and shall be taken to be included in these rules and regulations.

Approved: STANLEY.

\* See Page 973.



above date, you C.D. the defendant are bound to pay to A.B. the plaintiff the sum of \_\_\_\_\_ on or before the \_\_\_\_\_

If you neglect to obey this order you will be liable to have a writ of execution issued against your goods, under which they may be seized and sold, and you will also be liable to be summoned by the court, and to be examined as to your ability to make the payment directed in this decree, and to be imprisoned in case of your not answering satisfactorily.

(L.S.)

*Her Majesty's Political Agent and Consul.*

### 3.—Copy of Judgment.

In Her Britannic Majesty's Consular Court at Zanzibar.

The \_\_\_\_\_ day of \_\_\_\_\_ 18 .

Between A.B. \_\_\_\_\_ plaintiff,

and

C.D. \_\_\_\_\_ defendant.

Nature of claim [*here enter shortly the nature of the claim.*]

In accordance with a judgment passed in this court, you C.D. the defendant, are bound to [*here enter the act to be done*].

If you neglect to obey this decree, you will be liable to be arrested under a warrant to be issued by the court, and will also be liable to have your property sequestered for the purpose of compelling you to obey this decree.

(L.S.)

*Her Britannic Majesty's Political Agent and Consul.*

### 4.—Summons to Accused.

In Her Britannic Majesty's Consular Court at Zanzibar.

The \_\_\_\_\_ day of \_\_\_\_\_ 18 .

To A.B.

You have this day been charged before this court for that you [*here enter the nature of the charge*].

Therefore you are hereby commanded in Her Majesty's name to appear before this court on \_\_\_\_\_ next, the

day of \_\_\_\_\_ at \_\_\_\_\_ o'clock in

the \_\_\_\_\_ noon, to answer the said charge, and to be further dealt with according to law.

(L.S.)

*Her Majesty's Political Agent and Consul.*

### 5.—Warrant in first instance for Apprehension of Accused.

In Her Britannic Majesty's Consular Court at Zanzibar.

The \_\_\_\_\_ day of \_\_\_\_\_ 18 .

To A.B.

Whereas C.D. has this day been charged before this court for that he [*here enter the nature of the charge*].

Therefore you are hereby commanded in Her Majesty's name forthwith to apprehend the said C.D., and to bring him before this court to answer to the said charge, and to be further dealt with according to law.

(L.S.)

*Her Majesty's Political Agent and Consul.*

6.—*Warrant for Apprehension of Accused where Summons is Disobeyed.*

In Her Britannic Majesty's Consular Court at Zanzibar.

The \_\_\_\_\_ day of \_\_\_\_\_ 18 .

To A.B.

Whereas C.D. was on the \_\_\_\_\_ day of \_\_\_\_\_  
18\_\_\_\_, charged before this court, for that he [*here state the nature of the charge*]:

And the said C.D. was, by summons of this court, com-  
manded to appear before this court on the  
day of 18 , to answer

the said charge, and to be further dealt with according to law;

And, as has now been proved to this court, he was duly served with the said summons, but he has not appeared according to the said summons;

Therefore you are hereby commanded in Her Majesty's name forthwith to apprehend the said C.D., and to bring him before this court to answer the said charge, and to be further dealt with according to law.

(L.S.)

*Her Majesty's Political Agent and Consul.*

### 7.—*Summons to a Witness.*

In Her Britannic Majesty's Consular Court at Zanzibar.

This                      day of                      18 .

To A.B.

Whereas C.D. has been charged before this court, for that  
he *[here state the nature of the charge]*:

And it appears to this court that you are likely to give material evidence concerning the said charge:

Therefore you are hereby commanded in Her Majesty's name to appear before this court on \_\_\_\_\_ next, the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, at \_\_\_\_\_ o'clock, in the \_\_\_\_\_ noon, to testify what you shall know concerning the said charge.

(L.S.)

*Her Majesty's Political Agent and Consul.*

### 8.—*Recognizance of Bail.*

In Her Britannic Majesty's Consular Court at Zanzibar.

The \_\_\_\_\_ day of \_\_\_\_\_ 18 .

We, A.B., C.D., and E.F., come personally before this court,

and severally acknowledge ourselves to owe to our Sovereign Lady the Queen the several sums following, namely, the said A.B. dollars; the said C.D. dollars; and the said E.F. dollars; to be levied on our several goods, if the said A.B. fails in the condition herein endorsed.

(Signatures.)

*Condition endorsed.*

The condition of the within written recognizance is as follows:—

If, therefore, the said A.B. appears before this court on the day of 18 , to answer to the court, for that he [*here enter the charge against him*], and to be dealt with according to law, then the said recognizance shall be void; but otherwise it shall remain in full force.

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## GREAT BRITAIN.

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ACT of the British Parliament, to amend the Law of Copyright;—  
*Interpretation of the Words "Book," "Dramatic Piece," &c.*  
*[Referred to in Convention between Great Britain and Prussia, of May 13, 1846.\*]*

(For other clauses of this Act, see Vol. 6, page 478.)

[5 & 6 Victoria, cap. 45.] [July 1, 1842.]

II. And be it enacted, that in the construction of this Act the word "book" shall be construed to mean and include every volume, part or division of a volume, pamphlet, sheet of letter-press, sheet of music, map, chart, or plan separately published; that the words "dramatic piece" shall be construed to mean and include every tragedy, comedy, play, opera, farce, or other scenic, musical, or dramatic entertainment; that the word "copyright" shall be construed to mean the sole and exclusive liberty of printing or otherwise multiplying copies of any subject to which the said word is herein applied; that the words "personal representative" shall be construed to mean and include every executor, administrator, and next of kin entitled to administration; that the word "assigns" shall be construed to mean and include every person in whom the interest of an author in copyright shall be vested, whether derived from such author before or after the publication of any book, and whether acquired by sale, gift, bequest, or by operation of law, or otherwise; that the words "British dominions" shall be construed

\* See Vol. 7. Page 943.

to mean and include all parts of the United Kingdom of Great Britain and Ireland, the islands of Jersey and Guernsey, all parts of the East and West Indies, and all the colonies, settlements, and possessions of the Crown which now are or hereafter may be acquired; and that whenever in this Act, in describing any person, matter, or thing, the word importing the singular number or the masculine gender only is used, the same shall be understood to include and to be applied to several persons as well as one person, and females as well as males, and several matters or things as well as one matter or thing, respectively, unless there shall be something in the subject or context repugnant to such construction.

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*ACT of the British Parliament, to facilitate the Admission in Evidence of certain Official and other Documents.*

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[8 & 9 Victoria, cap. 113.]

[August 8, 1845.]

WHEREAS it is provided by many statutes that various certificates, official and public documents, documents and proceedings of corporations and of joint stock and other companies, and certified copies of documents, bye laws, entries in registers and other books, shall be receivable in evidence of certain particulars in courts of justice, provided they be respectively authenticated in the manner prescribed by such statutes: And whereas the beneficial effect of these provisions has been found by experience to be greatly diminished by the difficulty of proving that the said documents are genuine; and it is expedient to facilitate the admission in evidence of such and the like documents: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that whenever by any Act now in force or hereafter to be in force any certificate, official or public document, or document or proceeding of any corporation or joint stock or other company, or any certified copy of any document, bye law, entry in any register or other book, or of any other proceeding, shall be receivable in evidence of any particular in any court of justice, or before any legal tribunal, or either House of Parliament, or any Committee of either House, or in any judicial proceeding, the same shall respectively be admitted in evidence, provided they respectively purport to be sealed or impressed with a stamp, or sealed and signed, or signed alone, as required, or impressed with a stamp and signed, as directed by the respective Acts made or to be hereafter made, without any proof of the seal or stamp, where a seal or stamp is neces-



sary, or of the signature or of the official character of the person appearing to have signed the same, and without any further proof thereof in every case in which the original record could have been received in evidence.

II. And be it enacted, that all courts, judges, justices, masters in chancery, masters of courts, commissioners judicially acting, and other judicial officers shall henceforth take judicial notice of the signature of any of the equity or common law judges of the superior courts at Westminster, provided such signature be attached or appended to any Decree, Order, certificate, or other judicial or official document.

III. And be it enacted, that all copies of private and local and personal Acts of Parliament not public Acts, if purporting to be printed by the Queen's printers, and all copies of the journals of either House of Parliament, and of Royal Proclamations, purporting to be printed by the printers to the Crown or by the printers to either House of Parliament, or by any or either of them, shall be admitted as evidence thereof by all courts, judges, justices, and others, without any proof being given that such copies were so printed.

IV. Provided always, and be it enacted, that if any person shall forge the seal, stamp, or signature of any such certificate, official or public document, or document or proceeding of any corporation or joint stock or other company, or of any certified copy of any document, bye law, entry in any register or other book, or other proceeding as aforesaid, or shall tender in evidence any such certificate, official or public document, or document or proceeding of any corporation or joint stock or other company, or any certified copy of any document, bye law, entry in any register or other book, or of any other proceeding, with a false or counterfeit seal, stamp, or signature thereto, knowing the same to be false or counterfeit, whether such seal, stamp, or signature be those of or relating to any corporation or company already established, or to any corporation or company to be hereafter established, or if any person shall forge the signature of any such judge as aforesaid to any Order, Decree, certificate, or other judicial or official document, or shall tender in evidence any Order, Decree, certificate, or other judicial or official document with a false or counterfeit signature of any such judge as aforesaid thereto, knowing the same to be false or counterfeit, or if any person shall print any copy of any private Act or of the journals of either House of Parliament, which copy shall falsely purport to have been printed by the printers to the Crown, or by the printers to either House of Parliament, or by any or either of them, or if any person shall tender in evidence any such copy, knowing that the same was not printed by the person or persons by whom it so purports to

have been printed, every such person shall be guilty of felony, and shall upon conviction be liable to transportation for 7 years, or to imprisonment for any term not more than 3 nor less than one year, with hard labour: Provided also, that whenever any such document as before mentioned shall have been received in evidence by virtue of this Act, the court, judge, commissioner, or other person officiating judicially who shall have admitted the same, shall, on the request of any party against whom the same is so received, be authorized, at its or at his own discretion, to direct that the same shall be impounded, and be kept in the custody of some officer of the court or other proper person, until further Order touching the same shall be given, either by such court, or the court to which such master or other officer belonged, or by the persons or person who constituted such court, or by some one of the equity or common law judges of the superior courts at Westminster on application being made for that purpose.

V. And be it enacted, that this Act shall not extend to Scotland.

VI. And be it enacted, that this Act may be repealed, altered, or amended during this present session of Parliament.

VII. And be it enacted, that this Act shall take effect from the 1st day of November next after the passing thereof.

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ACT of the British Parliament, "to reduce the Stamp Duty on Passports" for Foreign Countries. June 14, 1858.

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[21 Victoria, cap. 24.]

[June 14, 1858.]

WHEREAS it is expedient to reduce the stamp duty on passports: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. That from and after the passing of this Act the Stamp duty of 5s. now payable on a passport shall be reduced to the sum of 6d.

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BRITISH ORDER IN COUNCIL, to facilitate the Sale and Transfer of Incumbered Estates in the Colony of Tobago. Osborne, July 31, 1858.

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At the Court at Osborne House, Isle of Wight, the 31st day of July, 1858.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.  
Preamble.

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It is hereby ordered by the Queen's most Excellent Majesty, by and with the advice of Her Privy Council, that the

said "West Indian Incumbered Estates Act, 1854,"\* shall, from the date of this Order in Council, come into operation in the colony of Tobago.

And the Right Honourable Sir Edward Bulwer Lytton, Bart., one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

WM. L. BATHURST.

BRITISH ORDER IN COUNCIL, *to facilitate the Sale and Transfer of Incumbered Estates in the Virgin Islands.* London, March 7, 1860.

*At the Court at Buckingham Palace, the 7th day of March, 1860.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Preamble.

IT is hereby ordered by the Queen's Most Excellent Majesty, by and with the advice of Her Privy Council, that the said West Indian Incumbered Estates Acts, 1854\* and 1858,† shall from the date of this Order in Council come into operation in the Virgin Islands.

And the Most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State is to give the necessary directions herein accordingly.

WM. L. BATHURST.

BRITISH ORDER IN COUNCIL, *to facilitate the Sale and Transfer of Incumbered Estates, in the Island of Saint Christopher.* London, March 26, 1860.

*At the Court at Buckingham Palace, the 26th day of March, 1860.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Preamble.

IT is hereby ordered by Her Majesty, by and with the advice of Her Privy Council, that the said, "West Indian Incumbered Estates Acts, 1854\* and 1858,"† shall, from the date of this Order in Council, come into operation in the Island of Saint Christopher.

And the Most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

WM. L. BATHURST.

\* See Vol. 10. Page 274.

† See Vol. 10. Page 862.

BRITISH ORDER IN COUNCIL, *to facilitate the Sale and Transfer of Incumbered Estates in Jamaica.* London, June 26, 1861.

*At the Court at Buckingham Palace, the 26th day of June, 1861.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Preamble.

IT is hereby ordered by the Queen's Most Excellent Majesty, by and with the advice of Her Privy Council, that the said "West Indian Incumbered Estates Acts, 1854 \* and 1858,†" shall, from the date of this Order in Council, come into operation in Jamaica.

And the Most Noble the Duke of Newcastle, one of Her Majesty's Secretaries of State, is to give the necessary directions accordingly.

ARTHUR HELPS.

BRITISH PROCLAMATION, *prohibiting the Export of Gunpowder, Saltpetre, Nitrate of Soda, and Brimstone.* Windsor, November 30, 1861.

BY THE QUEEN.—A PROCLAMATION.

VICTORIA R.

WHEREAS in and by a certain statute, made and passed in the Parliament held in the 16th and 17th years of Our reign, and intituled "The Customs Consolidation Act, 1853,"‡ it is, amongst other things, declared and enacted as follows; that is to say:

"The following goods may, by Proclamation or Order in Council, be prohibited either to be exported or carried coastwise: arms, ammunition and gunpowder, military and naval stores, and any articles which Her Majesty shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions, or any sort of victual which may be used as food by man, and if any goods so prohibited shall be exported from the United Kingdom or carried coastwise, or be water-borne, to be so exported or carried, they shall be forfeited."

And whereas We have thought fit, by and with the advice of Our Privy Council, to prohibit either to be exported or carried coastwise, the articles hereinafter mentioned (being articles which We judge capable of being converted into or made useful in increasing the quantity of military or naval stores), We, therefore, by and with the advice of Our Privy Council, and by this Our Royal Proclamation, do order and

\* See Vol. 10. Page 274.

† See Vol. 10. Page 862.

‡ See Vol. 9. Page 417.



direct that, from and after the date hereof, all gunpowder, saltpetre, nitrate of soda, and brimstone, shall be, and the same are, hereby prohibited either to be exported from the United Kingdom or carried coastwise.

Given at Our Court, at Windsor, this 30th day of November, in the year of our Lord 1861, and in the 25th year of Our reign. God save the Queen.

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BRITISH PROCLAMATION, *prohibiting the Export of Arms, Ammunition, and Military Stores, and also Lead.* Windsor, December 4, 1861.

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BY THE QUEEN.—A PROCLAMATION.

VICTORIA R.

WHEREAS in and by a certain statute, made and passed in the Parliament in the 16th and 17th years of Our reign, and intituled "The Customs Consolidation Act, 1853,"\* it is amongst other things, declared and enacted as follows; that is to say:

"The following goods may, by Proclamation or Order in Council, be prohibited either to be exported or carried coastwise: arms, ammunition and gunpowder, military and naval stores, and any articles which Her Majesty shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions, or any sort of victual which may be used as food by man, and if any goods so prohibited shall be exported from the United Kingdom or carried coastwise, or be water-borne to be so exported or carried, they shall be forfeited."

And whereas We have thought fit, by and with the advice of Our Privy Council, to prohibit either to be exported or carried coastwise, the articles hereinafter mentioned; that is to say: arms, ammunition, and military stores (including percussion caps and tubes), and also lead (being an article which We judge capable of being converted into or made useful in increasing the quantity of military or naval stores), We, therefore, by and with the advice of Our Privy Council, and by this Our Royal Proclamation, do order and direct that, from and after the date hereof, all arms, ammunition, and military stores (including percussion caps and tubes), and also lead, shall be, and the same are, hereby prohibited, either to be exported from the United Kingdom, or carried coastwise.

Given at Our Court, at Windsor, this 4th day of December, in the year of our Lord 1861, and in the 25th year of Our reign.  
God save the Queen.

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\* See Vol. 9. Page 417.

ACT, to enable the Governor of the Island of Jamaica to prohibit the exportation from the Island of certain articles readily convertible into Gunpowder, and Ammunition of War.

[25 Victoria, cap. 23.]

[January 31, 1862.]

Preamble.

I. FROM and after the passing of this Act, it shall be lawful for the Governor, by proclamation in the "Jamaica Gazette," by authority, to prohibit the exportation, or sending by any person from any port or place in this island to any place beyond the limits of this island, any saltpetre, sulphate of potash, muriate of potash (chloride of potassium), nitrate of soda, gunpowder, brimstone, percussion caps, tubes, lead, arms, or ammunition of war.

III. All the powers now possessed by the several harbour-masters in this island of going on board any ship or vessel about to depart from this island, and of examining such ship for the purpose of preventing the export of articles prohibited by Her Majesty's Proclamation to be exported, are hereby also conferred on the officers for the time being of Her Majesty's Customs.

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ACT, to enable the Government of British Honduras to issue Her Majesty's Royal Proclamation prohibiting the exportation therefrom of Arms, Provisions and other Articles.

[25 Victoria, cap. 4.]

[February 7, 1862.]

Preamble.

ART. I. From and after the commencement of this Act, the Governor, Lieutenant-Governor, or other officer administering the Government of British Honduras, shall be enabled, and he is hereby enabled and empowered from time to time, to issue Her Majesty's Royal Proclamation, prohibiting for such time or times, as to him shall appear necessary or proper, and as the exigency of things may require, to be exported from the said Colony or carried coastwise therein:—arms, ammunition, and gunpowder, military and naval stores, and any articles which he shall judge capable of being converted into or made useful in increasing the quantity of military and naval stores, provisions, or any sort of victual which may be used as food by man, without a licence first had and obtained under the hand of the Governor, Lieutenant-Governor, or other officer administering the Government, or unless such other regulations and instructions be complied with, as shall be declared in such Proclamation.

II. It shall and may be lawful for any officer of the Customs, Magistrate, Alcalde, or other person thereunto authorized in

writing by the Public Treasurer and Colonial Secretary, to go on board each and every vessel trading to and from British Honduras, or between any ports or parts thereof, or in anywise departing or about to depart from any port, harbour, road, bay, creek, haven or kaye, contiguous thereto, or from any part thereof, and examine and see that such vessel do not carry such goods or articles as aforesaid, prohibited by Her Majesty's Proclamation to be exported or carried coastwise, and all manner of persons are hereby required to aid and assist all and every such officers as are hereinbefore mentioned in making such examination, and in case the master or any other person or persons, belonging to such vessel shall in anywise resist any such person or persons in the making of any such examination, he or they shall severally on conviction suffer imprisonment in the common gaol without bail or mainprize for any period not exceeding 3 calendar months.

III. If any goods or articles, whereof the exportation or carriage coastwise is authorized to be prohibited, as aforesaid, shall be found on board any such vessel for the purpose of exportation or carriage coastwise, contrary to the tenor of Her Majesty's Proclamation, the same shall be a forfeiture and confiscation of all such goods and articles, and the master shall be subject to and incur a penalty not exceeding 1,000 dollars, and the said penalty, if paid, shall be liable, in the first instance to the payment of all expenses attending the conviction, and thereafter one-half shall be to Her Majesty towards the support of the Government of this Colony, and the other half to the informer: and such master shall on conviction suffer the further punishment of imprisonment in the common gaol without bail or mainprize for any period not exceeding 6 calendar months.

V. It shall be lawful for the several officers hereinbefore mentioned and also for any officers commanding Her Majesty's ships of war to stop and detain any vessel, having on board any such goods or articles the exportation or carriage coastwise of which is hereby authorized to be prohibited, with the intent to be exported or carried coastwise contrary to the tenor of Her Majesty's Proclamation, and to seize all such goods and articles, and proceed to the condemnation thereof.

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*ACT, to authorize the Government of Prince Edward's Island, to prohibit the exportation of Military or Naval Stores and Provisions.*

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[26 Victoria, cap. 11.]

[April 17, 1862.]

Preamble.

ART. I. It shall be lawful for the Lieutenant-Governor of

this Island, with the advice and consent of Her Majesty's Executive Council, to prohibit, either to be exported or carried coastwise:—arms, ammunition, and gunpowder, military and naval stores, and any articles which the Lieutenant-Governor shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions or any sort of victual which may be used as food for man, by publishing a Proclamation to that effect in the "Royal Gazette" newspaper, of this Island.

II. If any person shall export or carry coastwise, load or put on board any ship, vessel, or boat, any arms, ammunition, and gunpowder, military and naval stores, or any articles which the Lieutenant-Governor shall judge capable of being converted into or made useful in increasing the quantity of military and naval stores, provisions, or any sort of victual which might be used as food for man, with intent to export the same out of this Island or to carry the same coastwise after the publication of any such Proclamation as aforesaid, then he shall, besides the forfeiture of the goods so prohibited to be exported or carried coastwise as aforesaid, forfeit and pay to Her Majesty a sum not exceeding 50*l.*, according to the judgment and discretion of the Court; to be recovered by bill, plaint, or information in Her Majesty's Supreme Court of Judicature, and when recovered to be paid into the Treasury of this Island for the use of Her Majesty. Collectors of Impost or Controllers of the navigation laws, or other officer appointed to protect the Revenue, shall have power and they are hereby authorized to seize any such goods so put on board any ship, vessel, or boat for exportation, or to be carried coastwise contrary to the provisions of this Act, and also the ship, vessel, or boat in which the said goods are laden, and to sell the same, and to pay the balance into the Treasury, deducting and retaining thereout, as a remuneration to himself, one-third part of the proceeds thereof.

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*ACT of Bermuda (or Somers' Island), to authorize the Governor to Prohibit the Exportation of Arms and Ammunition. July 25, 1862.*

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WHEREAS circumstances may arise to render it expedient to prohibit the exportation from these islands of arms and munitions of war.

We, therefore, your Majesty's most dutiful and loyal subjects, the General Assembly of these your Majesty's Bermuda or Somers' Islands, do most humbly beseech your Majesty that it may be enacted, and be it enacted, by your Majesty's Governor, Council and Assembly, and it is hereby enacted and ordained by



the authority of the same, that the following goods may by Proclamation of the Governor of these Islands for the time being to be issued by and with the advice of Her Majesty's Council, be prohibited to be exported: arms, ammunition, and gunpowder, military and naval stores, and any articles which the Governor in Council shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions or any sort of victual which may be used as food by man; and if any goods so prohibited shall be exported from these islands, or be waterborne to be exported, they shall be forfeited.

II. Every person who shall assist or be concerned in the shipment, exportation or removal for the purpose of facilitating or assisting in the exportation of any goods prohibited to be exported under this Act, shall forfeit and pay the sum of 50*l.*, to be sued for and recovered with costs of suit, and when recovered to be disposed of as, in, and by the Act of the Legislature of these islands entitled "An Act to consolidate and amend the Acts to provide for the Collection of the Revenue," is provided, with respect to penalties imposed for breaches of the Revenue Laws.

III. All ships, boats, carriages, and other means of conveyance, together with all horses and other animals made use of in the removal of any goods liable to forfeiture under this Act shall be forfeited; and all goods, ships, vessels, boats, carriages and animals liable to forfeiture under this Act shall and may be seized and secured by any Officer of the Revenue, or by any person employed for that purpose by or with the concurrence of the Receiver-General or other principal officer of the port, and the forfeiture of any ship or boat shall be deemed to include her tackle, apparel and furniture; and every person who shall in any way hinder, oppose, molest, or obstruct any officer of the revenue, or any person so employed as aforesaid in the exercise of his office, or any person acting in his aid or assistance, shall, for every such offence, forfeit the sum of 200*l.*

IV. All ships, boats, goods, and other things whatsoever, which shall have been seized and condemned for breach of this Act, shall be sold or otherwise disposed of in such manner as the Governor in Council shall order and direct.

VI. If any goods prohibited to be exported under this Act shall be put on board any ship or boat with intent to be laden or shipped for exportation, or shall be brought to any quay or wharf or other place within these islands in order to be put on board any ship or boat for the purpose of being exported, or if any goods which are prohibited to be exported shall be found in any package produced to any officer of the revenue as containing goods not so prohibited, or shall be found or discovered to have been concealed in any manner on board any ship or

boat within these islands, all such goods shall be forfeited, together with any goods which shall be found packed with or used in concealing them, and all packages in which the same are found.

XI. This Act shall continue in force from and after the day fixed for its commencement until and throughout the 31st day of December, which will be in the year 1864.

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*ACT of the British Parliament, to amend "The Merchant Shipping Act, 1854,"\* "The Merchant Shipping Act Amendment Act, 1855,"† and "The Customs Consolidation Act, 1853,"‡ so far as relates to the cancellation and suspension of Certificates of Seamen.*

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[25 & 26 Victoria, cap. 63.]

[July 29, 1862.]

23. THE following rules shall be observed with respect to the cancellation and suspension of certificates, that is to say:

(1.) The power of cancelling or suspending the certificate of a master or mate by the 242nd section of the principal Act conferred on the Board of Trade shall (except in the case provided for by the 4th paragraph of the said section) vest in and be exercised by the local marine board, magistrates, naval court, Admiralty Court, or other court or tribunal by which the case is investigated or tried, and shall not in future vest in or be exercised by the Board of Trade.

(2.) Such power shall extend to cancelling or suspending the certificates of engineers in the same manner as if "certificated engineer" or "certificated engineers" were inserted throughout such section after "master" or "masters."

(3.) Every such board, court, or tribunal, shall at the conclusion of the case, or as soon afterwards as possible, state in open court the decision to which they may have come with respect to cancelling or suspending certificates, and shall in all cases send a full report upon the case, with the evidence, to the Board of Trade, and shall also, if they determine to cancel or suspend any certificate, forward such certificate to the Board of Trade with their report.

(4.) It shall be lawful for the Board of Trade, if they think the justice of the case require it, to reissue and return any certificate which has been cancelled or suspended, or shorten the time for which it is suspended, or grant a new certificate of the same or any lower grade in place of any certificate which has been cancelled or suspended.

(5.) The 434th and 437th sections of the principal Act shall be read as if for the word "nautical" were substituted the

\* See Vol. 9. Page 777.

† See Vol. 9. Page 972.

‡ See Vol. 9. Page 417.

words "nautical or engineering," and as if for the word "person" and "assessor" respectively were substituted the words "person or persons" and "assessor or assessors" respectively.

(6.) No certificate shall be cancelled or suspended under this section unless a copy of the report or a statement of the case upon which the investigation is ordered has been furnished to the owner of the certificate before the commencement of the investigation, nor, in the case of investigations conducted by justices or a stipendiary magistrate, unless one assessor at least expresses his concurrence in the report.

24. Every master, or mate, or engineer whose certificate is or is to be suspended or cancelled in pursuance of this Act shall, upon demand of the board, court, or tribunal by which the case is investigated or tried, deliver his certificate to them, or, if it is not demanded by such board, court, or tribunal, shall, upon demand, deliver it to the Board of Trade, or as it directs, and in default shall for each offence incur a penalty not exceeding 50*l*.

ORDINANCE of the President and Council of the Turks and Caicos Islands, under the supervision of the Captain-General and Governor-in-Chief in and over the Island of Jamaica, to prohibit the exportation of Arms, Ammunition, and Military Stores from the Turks and Caicos Islands. August 15, 1862.

Preamble.

THAT the President of these islands by and with the advice of the Executive Council may, whenever it shall be deemed expedient, prohibit the following articles to be exported, namely, arms, ammunition, and gunpowder, military and naval stores, and any articles which they shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions, or any sort of victual which may be used as food by man, and if any goods so prohibited shall be exported from any of the Turks and Caicos Islands, or be waterborne to be so exported, they shall be forfeited.

ACT, to authorize the Governor in Council of the Island of Tobago, to prohibit the exportation of Arms and Military Stores.—October 11, 1862.

[26 Vict. cap. 2.]

[11 October, 1862.]

WHEREAS it is expedient to authorize the Governor in Council in case circumstances should render such a measure necessary to prevent with promptitude the exportation of arms

and military stores. Be it therefore enacted by the Governor, Council, and assembly of the island, and by the authority of the same the following goods may by Proclamation or Order of the Governor in Council be prohibited either to be exported or carried coastwise: arms, ammunition, and gunpowder, military and naval stores, and articles which the Governor in Council shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions, or any sort of victual which may be used as food by man, and if any goods so prohibited shall be exported from this island, or carried coastwise, or be waterborne to be so exported or carried, they shall be forfeited.

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BRITISH ORDER IN COUNCIL, *amending the Bye-law of the Pilotage Board of Cardiff.* Windsor, March 20, 1863.

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*At the Court at Windsor, the 20th day of March, 1863.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS by the 333rd section of the Merchant Shipping Act, 1854,\* it is enacted that, subject to the provisions contained in the fifth part of that Act, "It shall be lawful for every pilotage authority, by bye-law made with the consent of Her Majesty, to repeal or alter any bye-law, made in exercise of the above powers, and to make a new bye-law in lieu thereof."

And whereas one of the bye-laws (No. 13) of the Pilotage Board of the port of Cardiff, duly made and sanctioned by Her Majesty, in pursuance of the above recited Act, provides that "Any pilot who shall refuse or neglect to proceed to either of the pilot stations in the channel fixed by the Board, when ordered to do so by the clerk, unless prevented by illness or the loss of his boat, or who shall be guilty of insolent or abusive language, or unwarrantable conduct towards any captain, master, or agent of any ship or vessel for which he may be engaged, shall be liable to a penalty not exceeding 10*l.* for the first offence, and for the second or any subsequent offence, to a like penalty or the loss of his licence."

And whereas the said Pilotage Board have submitted, for Her Majesty's approval, the amended bye-law, a copy of which is subjoined to be substituted for the bye-law above recited.

And whereas it has been made to appear to Her Majesty, that the object of the said amendment is reasonable and proper.

Now, therefore, Her Majesty, by virtue of the power vested in her by the said recited Act, and by and with the advice of

\* See Vol. 9. Page 77.



Her Privy Council, is pleased to approve of, and signify her consent to, the substitution of the amended bye-law, so submitted as aforesaid for the said existing bye-law, No. 13.

EDMUND HARRISON.

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*Bye-Law above referred to.*

No. 13. Any pilot who shall refuse or neglect to proceed to either of the pilot stations in the Channel fixed by the board, when ordered to do so by the clerk, unless prevented by illness or the loss of his boat, or who shall be guilty of drunkenness, or of insolent or abusive language, or unwarrantable conduct towards any member of the Pilotage Board, or the clerk or other officer of such board, or the captain, master, or agent of any ship or vessel for which he may be engaged, shall be liable to a penalty not exceeding 10*l.* for the first offence, and for the second or any subsequent offence to a like penalty, or the loss of his licence.

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*ACT of the British Parliament, "to facilitate the Appointment of Vice-Admirals and of Officers in Vice-Admiralty Courts in Her Majesty's Possessions abroad; to confirm past proceedings; to extend the Jurisdiction; and to amend the practice of those Courts."*

[26 Vict., cap. 24.]

[June 8, 1863.]

WHEREAS it is expedient to facilitate the appointment of Vice-Admirals and of officers in Vice-Admiralty Courts in Her Majesty's possessions abroad, and to confirm the past proceedings, to extend the jurisdiction, and to amend the practice of those courts: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as the "Vice-Admiralty Courts Act, 1863."

2. In the interpretation and for the purposes of this Act (if not inconsistent with the context or subject matter) the following terms shall have the respective meanings hereinafter assigned to them; that is to say:

"Her Majesty" shall mean Her Majesty, her heirs and successors:

The "Admiralty" shall mean the Lord High Admiral or the Commissioners for executing his office:

"British Possession" shall mean any colony, plantation,

settlement, island, or territory being a part of Her Majesty's dominions, but not being within the limits of the United Kingdom of Great Britain and Ireland, or of Her Majesty's possessions in India :

"Governor" shall mean the officer for the time being lawfully administering the government of any British possession :

"Vice-Admiralty Court" shall mean any of the existing Vice-Admiralty Courts enumerated in the schedule marked A hereto annexed, or any Vice-Admiralty Court which shall hereafter be established in any British possession :

"Ship" shall include every description of vessel used in navigation not propelled by oars only, whether British or foreign :

"Cause" shall include any cause, suit, action, or other proceeding instituted in any Vice-Admiralty Court.

3. In any British possession, where the office of Vice-Admiral is now or shall at any time hereafter become vacant, the governor of such possession shall be *ex officio* Vice-Admiral thereof, until a notification is received in the possession that a formal appointment to that office has been made by the Admiralty in the manner hereinafter mentioned.

4. In any British possession, where the office of judge of a Vice-Admiralty Court is now or shall at any time hereafter become vacant, the chief justice, or the principal judicial officer of such possession, or the person for the time being lawfully authorized to act as such, shall be *ex officio* Judge of the Vice-Admiralty Court, until a notification is received in the possession that a formal appointment to that office has been made by the Admiralty in the manner hereinafter mentioned.

5. In any British possession where the office of registrar or marshal of any Vice-Admiralty Court is now or shall at any time hereafter become vacant, the judge of the court may, with the approval of the governor, appoint some person to the vacant office, until a notification is received in the possession that a formal appointment thereto has been made by the Admiralty in the manner hereinafter mentioned, and may, for good and reasonable cause, to be approved by the governor, remove the person so appointed. The judge may also appoint some person to act as registrar or marshal during the temporary absence of either of those officers.

6. On any vacancy in the office of judge, registrar, or marshal of any Vice-Admiralty Court, the governor of the British possession in which the court is established shall, as soon as is practicable, communicate to one of Her Majesty's Principal Secretaries of State the fact of the vacancy, and the name of the person succeeding or appointed to the vacant office.

7. Nothing in this Act contained shall be taken to affect the

power of the Admiralty to appoint any Vice-Admiral, or any judge, registrar, marshal, or other officer of any Vice-Admiralty Court, as heretofore, by warrant from the Admiralty, and by letters patent issued under seal of the High Court of Admiralty of England.

8. No Act done by any person in the capacity of judge, registrar, or marshal of any Vice-Admiralty Court, which shall not have been set aside by any competent authority before the passing of this Act, shall be held invalid by reason that such person had not been duly appointed, but all such Acts shall be as valid and effectual as if done by a person duly appointed.

9. No action, prosecution, or other proceeding shall be brought against any such person by reason of the illegality or informality of any Act hereby declared to be valid and effectual.

10. The matters in respect of which the Vice-Admiralty Courts shall have jurisdiction are as follow :

(1.) Claims for seamen's wages.

(2.) Claims for master's wages, and for his disbursements on account of the ship.

(3.) Claims in respect of pilotage.

(4.) Claims in respect of salvage of any ship, or of life or goods therefrom.

(5.) Claims in respect of towage.

(6.) Claims for damage done by any ship.

(7.) Claims in respect of bottomry or respondentia bonds.

(8.) Claims in respect of any mortgage where the ship has been sold by a decree of the Vice-Admiralty Court, and the proceeds are under its control.

(9.) Claims between the owners of any ship registered in the possession in which the court is established, touching the ownership, possession, employment, or earnings of such ship.

(10.) Claims for necessities supplied, in the possession in which the court is established, to any ship of which no owner or part owner is domiciled within the possession at the time of the necessities being supplied.

(11.) Claims in respect of the building, equipping, or repairing within any British possession of any ship of which no owner or part owner is domiciled within the possession at the time of the work being done.

11. The Vice-Admiralty Courts shall also have jurisdiction :

(1.) In all cases of breach of the regulations and instructions relating to Her Majesty's navy at sea.

(2.) In all matters arising out of droits of Admiralty.

12. Nothing contained in this Act shall be construed to take away or restrict the jurisdiction conferred upon any Vice-Admiralty Court by any Act of Parliament in respect of seizures for breach of the revenue, customs, trade, or navigation laws, or

of the laws relating to the abolition of the Slave Trade, or to the capture and destruction of pirates and piratical vessels, or any other jurisdiction now lawfully exercised by any such court; or any jurisdiction now lawfully exercised by any other court within Her Majesty's dominions.

13. The jurisdiction of the Vice-Admiralty Courts, except where it is expressly confined by this Act to matters arising within the possession in which the court is established, may be exercised, whether the cause or right of action has arisen within or beyond the limits of such possession.

14. Her Majesty may, by Order in Council, from time to time establish rules touching the practice to be observed in the Vice-Admiralty Courts, as also tables of the fees to be taken by the officers and practitioners thereof for all acts to be done therein, and may repeal and alter the existing and all future rules and tables of fees, and establish new rules and tables of fees in addition thereto, or in lieu thereof.

15. A copy of any rules or tables of fees which may at any time be established shall be laid before the House of Commons within three months from the establishing thereof, or if Parliament shall not be then sitting, or if the session shall terminate within one month from that date, then within one month after the commencement of the next session.

16. The rules and tables of fees in force in any Vice-Admiralty Court shall, as soon as possible after they have been received in the British possession in which the court is established, be entered by the registrar in the public books or records of the court, and the books or records in which they are so entered shall at all reasonable times be open to the inspection of the practitioners and suitors in the court.

17. A copy of the rules and tables of fees in force in any Vice-Admiralty Court shall be kept constantly hung up in some conspicuous place as well in the court as in the office of the registrar.

18. The fees established for any Vice-Admiralty Court shall, after the date fixed for them to come into operation, be the only fees which shall be taken by the officers and practitioners of the court.

19. Any person who shall feel himself aggrieved by the charges of any of the practitioners in any Vice-Admiralty Court, or by the taxation thereof by the officers of the court, may apply to the High Court of Admiralty of England to have the charges taxed or the taxation thereof revised.

20. The registrar of any Vice-Admiralty Court shall have power to administer oaths in relation to any matter depending in the court; and any person who shall wilfully swear falsely in any proceeding before the registrar, or before any other



person authorized to administer oaths in the court, shall be deemed guilty of perjury, and shall be liable to all the penalties attaching to wilful and corrupt perjury.

21. If a cause of damage by collision be instituted in any Vice-Admiralty Court, and the defendant institute a cross cause in respect of the same collision, the judge may, on application of either party, direct both causes to be heard at the same time and on the same evidence; and if the ship of the defendant in one of the causes has been arrested, or security given by him to answer judgment, but the ship of the defendant in the other cause cannot be arrested, and security has not been given to answer judgment therein, the court may, if it think fit, suspend the proceedings in the former cause until security has been given to answer judgment in the latter cause.

22. The appeal from a decree or order of a Vice-Admiralty Court lies to Her Majesty in Council; but no appeal shall be allowed, save by permission of the judge, from any decree or order not having the force or effect of a definitive sentence or final order.

23. The time for appealing from any decree or order of a Vice-Admiralty Court shall, notwithstanding any existing enactment to the contrary, be limited to 6 months from the date of the decree or order appealed from; and no appeal shall be allowed where the petition of appeal to Her Majesty shall not have been lodged in the Registry of the High Court of Admiralty and of Appeals within that time, unless Her Majesty in Council shall, on the report and recommendation of the Judicial Committee of the Privy Council, be pleased to allow the appeal to be prosecuted, notwithstanding that the petition of appeal has not been lodged within the time prescribed.

24. The Acts enumerated in the schedule hereto annexed marked B, are hereby repealed, to the extent therein mentioned, but the repeal thereof shall not affect the validity of any rules, orders, regulations, or tables of fees heretofore established and now in force, in pursuance of the Act of the 2nd and 3rd William IV, chapter 51; but such rules, orders, regulations, and tables of fees shall continue in force until repealed or altered under the provisions of this Act.

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(SCHEDULE A.)—*List of the existing Vice-Admiralty Courts.*

ANTIGUA; Bahamas; Barbadoes; Bermuda; British Columbia; British Guiana; British Honduras; Cape of Good Hope; Ceylon; Dominica; Falkland Islands; Gambia River; Gibraltar; Gold Coast; Grenada; Hong Kong; Jamaica; Labuan; Lagos; Lower Canada, otherwise Quebec; Malta; Mauritius; Montserrat; Natal; Nevis; New Brunswick; Newfoundland; New South Wales; New Zealand; Nova Scotia, otherwise

Halifax; Prince Edward Island; Queensland; Saint Christopher; Saint Helena; Saint Lucia; Saint Vincent; Sierra Leone; South Australia; Tasmania, formerly called Van Diemen's Land; Tobago; Trinidad; Vancouver's Island; Victoria; Virgin's Island, otherwise Tortola; Western Australia.

(SCHEDULE B.)—*Acts and parts of Acts repealed.*

Reference to Act.	Title of Act.	Extent of Repeal.
56 Geo. III. c. 82 ..	An Act to render valid the judicial acts of surrogates of Vice-Admiralty Courts abroad, during vacancies in office of judges of such courts.	The whole Act, save as regards Her Majesty's possessions in India.
*5 Geo. IV. c. 113 ..	An Act to amend and consolidate the laws relating to the abolition of the Slave Trade.	Section 29, save as above.
2 & 3 Will. IV. c. 51	An Act to regulate the practice and the fees in the Vice-Admiralty Courts abroad, and to obviate doubts as to their jurisdiction.	The whole Act, save as above.
6 & 7 Vict. c. 38 ..	An Act to make further regulations for facilitating the hearing appeals and other matters by the Judicial Committee of the Privy Council.	Section 11, so far as it relates to appeals from Vice-Admiralty Courts, save as above.
17 & 18 Vict. c. 37 ..	An Act for establishing the validity of certain proceedings in Her Majesty's Court of Vice-Admiralty in Mauritius.	The whole Act.

ACT of the British Parliament, "*for the Government of the Cayman Islands*" under the Authority of the Governor of Jamaica.

[26 & 27 Vict., cap. 31.]

[June 22, 1863.]

WHEREAS certain magistrates and other inhabitants of the Island of Grand Cayman have from time to time, in vestry or otherwise, passed or assumed to pass certain Acts or Resolutions for the government of the Cayman Islands: and whereas doubts are entertained whether such Acts or Resolutions are of any effect in the said islands, and by what authority laws may be made for the government of the same, and what laws are actually in force therein; and it is expedient that such doubts should be set at rest: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

\* See Vol. 3. Page 152.

Parliament assembled, and by the authority of the same, as follows :

1. All Acts or Resolutions heretofore passed or purporting to have been passed at any meeting of the magistrates or representatives, or of the justices and vestry, or of the vestry of the Island of Grand Cayman, shall, so soon as a fair copy of the same shall have been signed by the Governor of Jamaica in verification thereof, be and be deemed to have been valid and effectual, for all purposes whatever within the said Cayman Islands, from the date at which the same shall purport to have been passed.

2. It shall be competent to the Legislature of Jamaica to make laws for the peace, order, and good government of the said islands, and by such laws to alter or repeal all or any of the aforesaid Acts or Resolutions; and also to give to the justices and vestry, or other body or bodies of persons in the said islands, such power of making laws or regulations for local purposes within the same, as to the said Legislature may seem fit.

3. Until it shall be otherwise provided by the said Legislature, it shall be lawful for the said justices and vestry, in their accustomed manner, or in such other manner as shall be prescribed in writing under the hand and seal of the Governor of Jamaica, to make such Regulations as to them shall seem fit for the following purposes; that is to say :

Respecting their own constitution and procedure; respecting the powers and duties of public officers; and especially respecting the powers, functions, and procedure of justices of the peace and officers acting under their authority; and respecting appeals from the decisions of such justices to the Supreme Court of Jamaica :

Respecting the establishment, maintenance, discipline, and powers of the police :

Respecting the management, occupation, and disposal of the public property or common land :

Respecting the abatement of nuisances, the construction of works of public utility, the making of roads, the cleansing of streets and houses, and other matters affecting the health or convenience of the community :

Respecting the custody of offenders and accused persons; respecting the imposition and collection of rates and taxes, and respecting the custody and expenditure of the proceeds thereof :

Provided always, that no justice of the peace shall by virtue of any such regulation try any suit or action, without the consent of the parties thereto, in which the value of the matter in dispute shall exceed 100*l.*, nor take cognizance of any capital crime, nor sentence any offender to the payment of a fine of

more than 50*l.*, or to imprisonment for a longer term than 12 months.

4. No regulation made by such justices and vestry or other legislative authority in the said islands shall take effect until the same shall have been signed by the officer administering the Government of Jamaica in token of his assent thereto; and every such regulation may be disallowed by Her Majesty by Order in Council or through one of Her Principal Secretaries of State, and shall cease to be of any effect so soon as the disallowance thereof shall be proclaimed within the said islands.

5. Except as they may be inconsistent with the aforesaid Acts or Resolutions, and subject to any such alterations as may be made by or by authority of the aforesaid Legislature of Jamaica, and to such regulations as may from time to time be made under authority of this Act, the laws now in force in Jamaica shall from the date of this Act be deemed to be in force in the said islands, so far as the same shall be applicable to the circumstances thereof.

6. The officer administering the government of Jamaica shall have, as far as may be, the same powers and authorities in respect of the said islands as if the same had been part of the Island of Jamaica.

7. The Supreme Court of Jamaica, and all officers thereof, shall have and exercise, in respect to suits, actions, questions, or prosecutions arising in the said islands which may not be lawfully triable by any authority therein, or which, in conformity with any law or regulation in force therein, may be referred for the decision of the said court, the same jurisdiction and power as if the same islands were part of the Island of Jamaica.

8. It shall be lawful for the Supreme Court to entertain appeals from the decisions of a justice or justices of the peace in the said islands, within such limits as may be prescribed by any law or regulation in force in the said islands; and by rule of court from time to time to make such special provision as the said court may think requisite for the proper hearing and determination of such suits, actions, prosecutions, and appeals as aforesaid: provided that no such rule shall take effect until it shall have been signed by the officer administering the Government of Jamaica in token of his approval thereof.

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ACT of the British Parliament, "*to amend the Passengers Act, 1855.*"

[26 & 27 Vict. cap. 51.]

[July 13, 1863.]

WHEREAS it is expedient to amend "The Passengers Act,



1855,"\* in the particulars hereinafter mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The Passengers Act Amendment Act, 1863."

2. This Act shall come into operation on the 1st day of October, 1863.

3. The definition in the 3rd section of "The Passengers Act, 1855," of the term "passenger ship," is hereby repealed, and for the purposes of the said Act and of this Act the term "passenger ship" shall signify every description of sea-going vessel, whether British or foreign, carrying, upon any voyage to which the provisions of the said "Passengers Act, 1855," shall extend, more than 50 passengers, or a greater number of passengers than in the proportion of one statute adult to every 33 tons of the registered tonnage of such ships, if propelled by sails, or than one statute adult to every 20 tons, if propelled by steam.

4. So much of the 4th section of the said "Passengers Act, 1855," as exempts from the operation of the Act any steam vessel carrying mails under contract with the Government of the State or colony to which such vessel may belong, is hereby repealed, and every steam vessel, whether British, foreign, or colonial, which shall carry passengers other than cabin passengers in sufficient number to bring such vessel within the definition of a passenger ship, as set forth in the 3rd section of this Act, shall be subject to the provisions of the said Act, and of this Act in like manner as any passenger ship not carrying a mail.

5. The 1st rule of the 14th section of the said "Passengers Act, 1855," which limits the number of persons to be carried in a passenger ship by her registered tonnage, together with so much of the concluding portion of the same section as relates to such rule is hereby repealed, except so far as relates to any penalty incurred or legal proceedings taken thereunder.

6. In the passenger lists required by the 16th and 17th sections of "The Passengers Act, 1855," to be delivered by the master of every ship before demanding a clearance, there shall be set forth, in addition to the other particulars required by "The Passengers Act, 1855," the names of all cabin passengers on board such ships, specifying whether they respectively are under or over 12 years of age, and at what place the passengers and cabin passengers respectively are to be landed, and the Schedule B to the said Act shall be altered accordingly.

7. The limit of the penalty imposed by the 18th section of the said "Passengers Act, 1855," on persons convicted of getting on board any passenger ship with intent to obtain a passage therein without the consent of the owner, charterer, or master thereof, and on persons aiding or abetting in such fraudulent attempt, shall be extended from £5 to £20.

8. Notwithstanding the prohibition contained in the 29th section of the said "Passengers Act, 1855," horses and cattle may be carried as cargo in passenger ships, subject to the following conditions:

(1.) That the animals be not carried on any deck below the deck on which passengers are berthed, nor in any compartment in which passengers are berthed, nor in any adjoining compartment, except in a ship built of iron, and of which the compartments are divided off by water-tight bulkheads extending to the upper deck:

(2.) That clear space on the spar or weather deck be left for the use and exercise of the passengers, at the rate of at least 10 superficial feet for each statute adult:

(3.) That no greater number of passengers be carried than in the proportion of 15 to every 100 tons of the ship's registered tonnage:

(4.) That in passenger ships of less than 500 tons registered tonnage not more than two head of large cattle be carried, nor in passenger ships of larger tonnage more than one additional head of such cattle for every additional 200 tons of the ship's registered tonnage, nor more in all in any passenger ship than 10 head of such cattle: The term "large cattle" shall include both sexes of horned cattle, deer, horses, and asses; 4 sheep of either sex, or 4 female goats, shall be equivalent to, and may, subject to the same conditions, be carried in lieu of one head of large cattle:

(5.) That proper arrangements be made, to the satisfaction of the emigration officer at the port of clearance, for the housing, maintenance, and cleanliness of the animals, and for the stowage of their fodder:

(6.) Not more than 6 dogs, and no pigs or male goats, shall be conveyed as cargo in any passenger ship: For any breach of this prohibition, or of any of the above conditions, the owner, charterer, and master of the ship, or any of them shall be liable for each offence to a penalty not exceeding 300*l.* nor less than 5*l.*

9. The requirements of the 35th section of the said "Passengers Act, 1855," that 6 ounces of lime juice should be issued weekly to each statute adult on voyages exceeding 84 days in duration for sailing vessels, or 50 days for steamers, shall be confined to the period when the ship shall be within the tropics; during the other portions of the voyage the issue of lime juice

shall be at the discretion of the medical practitioner on board; or, if there be no such practitioner on board, at the discretion of the master of the ship.

10. In addition to the substitutions in the dietary scales specified in the 35th section of the said "Passengers Act, 1855," soft bread baked on board may be issued, at the option of the master of any passenger ship, in lieu of the following articles, and in the following proportions; (that is to say)  $1\frac{1}{4}$  lb. of such soft bread may be issued in lieu of 1 lb. of flour, or of 1 lb. of biscuit, or of  $1\frac{1}{4}$  lb. of oatmeal, or of 1 lb. of rice, or of 1 lb. of peas.

11. The 46th section of the said "Passengers Act, 1855," shall be applicable to cabin as well as to other passengers landed on account of sickness; and the passage money of all cabin or other passengers so landed may be recovered in the manner pointed out in the said Act, upon the delivery up of their contract tickets, and notwithstanding that the ship may not have sailed: Provided always, that in the case of cabin passengers so landed one half only of their passage money shall be recoverable.

12. The 12th, 51st, 53rd, and 54th sections of the said "Passengers Act, 1855," shall be and the same are hereby repealed, except as to the recovery and application of any penalty for any offence committed against the said Act, and except so far as may be necessary for supporting or continuing any proceeding heretofore taken or hereafter to be taken thereunder; and in lieu of the enactments contained in such sections the enactments in the 4 next following sections shall respectively be substituted; (that is to say,)

13. If any passenger ship shall clear out or proceed to sea without the master having first obtained such certificate of clearance, or without his having joined in executing such bond to the Crown as by the said "Passengers Act, 1855," are required, or if such ship, after having put to sea, shall put into any port or place in the United Kingdom in a damaged state, and shall leave or attempt to leave such port or place with passengers on board without the master having first obtained such certificate of clearance as is required by section 50 of the said "Passengers Act, 1855," such ship shall be forfeited to the use of Her Majesty, and may be seized by any officer of customs, if found, within two years from the commission of the offence, in any port or place in Her Majesty's dominions; and such ship shall thereupon be dealt with in the same manner as if she had been seized as forfeited for an offence incurring forfeiture under any of the laws relating to the Customs: Provided that it shall be lawful for one of Her Majesty's Principal Secretaries of State to release, if he shall think fit, any



such forfeited ship from seizure and forfeiture, on payment by the owner, charterer, or master thereof, to the use of Her Majesty, of such sum not exceeding 2,000*l.* as such Secretary of State may by any writing under his hand specify.

14. If any passenger ship shall be wrecked, or otherwise rendered unfit to proceed on her intended voyage, while in any port of the United Kingdom, or after the commencement of the voyage, and if the passengers, or any of them, shall be brought back to the United Kingdom, or if any passenger ship shall put into any port or place in the United Kingdom in a damaged state, the master, charterer, or owner shall, within 48 hours thereafter, give to the nearest emigration officer, or in the absence of such officer to the chief officer of Customs, a written undertaking to the following effect; that is to say, if the ship shall have been wrecked, or rendered unfit as aforesaid to proceed on her voyage, that the owner, charterer, or master thereof shall embark and convey the passengers in some other eligible ship, to sail within 6 weeks from the date thereof, to the port or place for which their passages respectively had been previously taken; and if the ship shall have put into port in a damaged state, then that she shall be made seaworthy, and fit in all respects for her intended voyage, and shall, within 6 weeks from the date of such undertaking, sail again with her passengers; in either of the above cases the owner, charterer, or master shall, until the passengers proceed on their voyage, either lodge and maintain them on board in the same manner as if they were at sea, or pay to them subsistence money after the rate of 1*s.* 6*d.* a day for each statute adult, unless the passengers shall be maintained in any hulk or establishment under the superintendence of the Emigration Commissioners mentioned in the said "Passengers Act, 1855," in which case the subsistence money shall be paid to the emigration officer at such port or place. If the substituted ship or damaged ship, as the case may be, shall not sail within the time prescribed as aforesaid, or if default shall be made in any of the requirements of this section, such passengers respectively, or any emigration officer on their behalf, shall be entitled to recover, by summary process, as in the said "Passengers Act, 1855," is mentioned, all moneys which shall have been paid by or on account of such passengers or any of them for such passage, from the party to whom or on whose account the same may have been paid, or from the owner, charterer, or master of such ship, or any of them, at the option of such passenger or emigration officer: Provided that the said emigration officer may, if he shall think it necessary, direct that the passengers shall be removed from such damaged "passenger ship," at the expense of the master thereof; and if after such direction any



passenger shall refuse to leave such ship, he shall be liable to a penalty not exceeding 40s., or to imprisonment not exceeding 1 calendar month.

15. If any passenger or cabin passenger of any passenger ship shall, without any neglect or default of his own, find himself within any colonial or foreign port or place other than that for which the ship was originally bound, or at which he or the Emigration Commissioners, or any public officer or other person on his behalf, may have contracted that he should land, it shall be lawful for the Governor of such colony, or for any person authorized by him for the purpose, or for Her Majesty's Consular officer at such foreign port or place, as the case may be, to forward such passenger to his intended destination, unless the master of such ship shall, within 48 hours of the arrival of such passenger, give to the Governor or Consular officer, as the case may be, a written undertaking to forward or carry on, within 6 weeks thereafter, such passenger or cabin passenger to his original destination, and unless such master shall accordingly forward or carry him on within that period.

16. All expenses incurred under the last preceding section or under the 52nd section of "The Passengers Act, 1855," or either of them, by or by the authority of such Secretary of State, Governor, or Consular officer, or other person, as therein respectively mentioned, including the cost of maintaining the passengers until forwarded to their destination, and of all necessary bedding, provisions, and stores, shall become a debt to Her Majesty and her successors from the owner, charterer, and master of such ship, and shall be recoverable from them, or from any one or more of them, at the suit and for the use of Her Majesty, in like manner as in the case of other Crown debts; and a certificate in the form in Schedule (A) hereto annexed, or as near thereto as the circumstances of the case will admit, purporting to be under the hand of any such Secretary of State, Governor, or Consular officer (as the case may be), stating the total amount of such expenses, shall in any suit or other proceeding for the recovery of such debt be received in evidence without proof of the handwriting or of the official character of such Secretary of State, Governor, or Consular officer, and shall be deemed sufficient evidence of the amount of such expenses, and that the same were duly incurred, nor shall it be necessary to adduce on behalf of Her Majesty any other evidence in support of the claim, but judgment shall pass for the Crown, with costs of suit, unless the defendant shall specially plead and duly prove that such certificate is false or fraudulent, or shall specially plead and prove any facts showing that such expenses were not duly incurred under the provisions of this Act, and of the said "Passengers Act, 1855," or either of them: Provided nevertheless, that in no case shall any

larger sum be recovered on account of such expenses than a sum equal to twice the total amount of passage money received or due to and recoverable by or on account of the owner, charterer, or master of such passenger ship, or any of them, for or in respect of the whole number of passengers and cabin passengers who may have embarked in such ship, which total amount of passage money shall be proved by the defendant, if he will have the advantage of this limitation of the debt; but if any such passengers are forwarded or conveyed to their intended destination under the provisions of the last preceding section, they shall not be entitled to the return of their passage money, or to any compensation for loss of passage under the provisions of the said "Passengers Act, 1855."

17. In the case of a passenger ship, of which neither the owners nor charterers reside in the United Kingdom, the bond required to be given to the Crown by the 63rd section of the "Passengers Act, 1855," shall be for the sum of 5,000*l.* instead of 2,000*l.*; and an additional condition shall be inserted in such bond to the effect that the obligors therein shall, subject to the provisions and limitations hereinbefore contained, be liable for, and shall pay to Her Majesty and her successors, as a Crown debt, all expenses which may be incurred under the provisions hereinbefore and in the "Passengers Act, 1855," contained, in rescuing, maintaining, and forwarding to their destination any passengers of such ships who by reason of shipwreck or any other cause, except their own neglect or default, may not be conveyed to their intended destination by or on behalf of the owner, charterer, or master of such ship.

18. The said "Passengers Act, 1855," and this Act, shall be construed together as one Act.

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SCHEDULE (A.)—*Form of Governor's or Consul's Certificate of Expenditure in the Case of Passengers Shipwrecked, &c.*

I hereby certify, that, acting under and in conformity with the provisions of the British "Passengers Act, 1855," and of the "Passengers Act Amendment Act, 1863," I have defrayed the expenses incurred in rescuing, maintaining, supplying with necessary bedding, provisions, and stores (a), and in forwarding to their destination                      passengers [including cabin passengers (b)], who were proceeding from                      to in the passenger ship                      , which was wrecked at &c. (c).

(a) N.B.—1. If more passengers were rescued than forwarded, or if bedding, &c., was not supplied, alter the certificate to suit the facts of the case.

(b) N.B.—2. Omit words in brackets when necessary.

(c) N.B.—3. State generally the nature of the disaster and where it occurred. But if the passengers were only left behind, without any default of their own, state the fact accordingly.

And I further certify, for the purposes of the 10th section of the said "Passengers Amendment Act, 1863," that the total amount of such expenses is \_\_\_\_\_ pounds, and that such expenses were duly incurred by me under the said Acts or one of them.

Given under my hand, this \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
 (or, as the case may be,) *Governor of, &c.,*  
*Her Britannic Majesty's Consul*  
 at \_\_\_\_\_

*ACT of the British Parliament, to determine the Time at which  
 Letters Patent shall take effect in the Colonies.*

[26 & 27 Vict., cap. 76.]

[July 28, 1863.]

WHEREAS Her Majesty hath from time to time caused to be made under the Great Seal of the United Kingdom of Great Britain and Ireland divers letters patent intended to take effect within Her Majesty's colonies and possessions beyond the seas: and whereas doubts are entertained respecting the period at which such letters patent have taken or may hereafter take effect within such colonies and possessions, and it is expedient that such doubts should be removed: be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. No such letters patent heretofore made shall (unless otherwise provided therein or by other lawful authority) be deemed to have taken or shall take effect in any such colony or possession as aforesaid until the same were or shall be publicly made known or acted upon therein: provided that any act or thing heretofore done or purporting to have been done in pursuance or under authority of such letters patent shall be as valid and effectual as if the same letters patent had taken effect at the date of the making thereof.

2. No such letters patent hereafter to be made shall (unless otherwise provided therein or by other lawful authority) take effect in any such colony or possession until the making of the same shall have been signified therein by proclamation or other public notice.

3. Any such letters patent by which any person may be hereafter appointed to any office or employment within any of such colonies or possessions shall (unless otherwise provided therein or by other lawful authority) become null and void in respect of such colony, unless the same shall be so signified as aforesaid within the following period; that is to say, within 9 calendar months in case such colony or possession shall be to

the eastward of Bengal in the East Indies, or to the west of Cape Horn in South America, or in any other case within 6 months after the making thereof.

4. The Act, chapter 91, of the 9th and 10th years of Her Majesty, intituled "An Act to continue certain Patent Commissions until the exhibition of the Commissions revoking them," is hereby repealed.

5. This Act shall take effect in each of Her Majesty's colonies and possessions so soon as the same shall be proclaimed therein by the officer administering the Government thereof.

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters transmitted to or from Ceylon.* August 26, 1863.

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WHEREAS by an Act of Parliament, passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the Regulation of the Duties of Postage,"\* power is given to the Commissioners of Her Majesty's Treasury from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage or inland postage payable by law on the transmission by the post of *Foreign* or *Colonial* letters or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof and a scale of weight to be contained in such Warrant; and from time to time, by Warrant as aforesaid, to alter or repeal any such altered rates, and make and establish any new or other rates in lieu thereof, and from time to time, by Warrant as aforesaid, to appoint at what time the rates which may be payable are to be paid.

And whereas by another Act of Parliament, passed in the 11th year of the reign of Her present Majesty, intituled "An Act for giving further Facilities for the Transmission of Letters by Post, and for the regulating the Duties of Postage thereon, and for other purposes relating to the Post Office,"† further powers are given to the Commissioners of Her Majesty's Treasury, and power is also given to the Postmaster-General (amongst other things) to collect and receive the *Foreign* and *Colonial* postage, charged or chargeable, on any letters sent by the post, and also with the consent of the Commissioners of Her Majesty's Treasury, to require the postage, British, *Colonial*, or *Foreign*, of any letters sent by the post, to be prepaid, either in money or in stamps, as he might think fit, on the same being put into the Post Office.

And whereas the Commissioners of Her Majesty's Treasury, by a certain Warrant under their hands, bearing date the 15th

\* See Vol. 5. Page 248.

† See Vol. 8. Page 247.



day of March, 1854,\* fixed, made, and established certain rates of British postage payable on the transmission by the post of certain *Colonial* letters therein respectively mentioned.

And whereas the Commissioners of Her Majesty's Treasury, by a certain other Warrant under their hands, bearing date the 27th day of November, 1858,† did make regulations for the prepayment of the several rates of postage payable on letters posted in the United Kingdom addressed to *Ceylon*, and on letters posted in *Ceylon* addressed to the United Kingdom.

And whereas it is expedient to repeal the said Warrant of the 27th day of November, 1858, and to make certain other regulations in lieu thereof.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts, or either of them, and of all other powers enabling us, in this behalf, do, by this present Warrant, under the hands of two of us, the said Commissioners (by the authority of the statute in that case made and provided), order and direct as follows, that is to say :

1. On every letter posted in the United Kingdom addressed to *Ceylon* or posted in *Ceylon* addressed to the United Kingdom, the postage thereof shall be paid at the time of the same being posted.

2. If any letter shall be posted in the United Kingdom addressed to *Ceylon*, without any postage having been paid thereon, every such letter shall be forwarded, charged with the amount of the postage to which it would have been liable if the postage had been paid when posted, together with a further and additional rate of postage of 6*d*.

3. If any letter shall be posted in *Ceylon* addressed to the United Kingdom, without any postage having been paid thereon, every such letter shall be forwarded charged with the amount of the postage to which it would have been liable if the postage had been paid when posted, together with a further and additional rate of postage of 6*d*.

4. If any letter shall be posted in the United Kingdom addressed to *Ceylon*, or be posted in *Ceylon* addressed to the United Kingdom, and the postage paid thereon shall be less in amount than the rate of postage to which such letter would be liable, under or by virtue of the regulation in force relating thereto, every such letter shall be forwarded charged with the amount of the difference between the postage paid thereon and the postage to which it would have been liable if the postage had been paid when posted, together with a further and additional rate of postage of 6*d*.

5. The several terms and expressions used in this Warrant

\* See Vol. 10. Page 245.

† See Vol. 11. Page 940.

shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her present Majesty.

6. The said recited Warrant of the 27th day of November, 1858, relating to *Ceylon*, shall be, and the same is, hereby repealed.

7. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands duly made at any time hereafter, alter, repeal, or revoke any of the orders, directions, or regulations hereby made, and may make and establish any new or other orders, directions, or regulations in lieu thereof.

8. This Warrant shall come into operation on the 1st day of October, 1863.

Whitehall Treasury Chambers, the 26th day of August, 1863.

WM. DUNBAR.

E. H. KNATCHBULL HUGESSEN.

BRITISH TREASURY WARRANT, *fixing the Rate of Postage on Patterns or Samples of Merchandize of no intrinsic value, transmitted within the United Kingdom. September 11, 1863.*

[Repealed by Warrant, dated August 17, 1864.]

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters transmitted between Malta and Corfu, via Italy; and on Newspapers and Books, &c., from Malta to Corfu, by the same route. November 11, 1863.*

WHEREAS by an Act of Parliament, passed in the 4th year of the reign of Her present Majesty, intituled "An Act for the regulation of the duties of postage,"\* power is given to the Commissioners of Her Majesty's Treasury, from time to time, by Warrant under their hands, to alter and fix any of the rates of British postage, payable by law on the transmission by the post of *Foreign or Colonial* letters, or newspapers, or of any other printed papers, and to subject the same to rates of postage according to the weight thereof, and a scale of weight to be contained in such Warrant.

And whereas further powers are given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 11th year of the reign of Her present Majesty, intituled "An Act for giving further facilities for the regulating the

\* See Vol. 5. Page 248.

duties of postage thereon, and for other purposes relating to the Post Office."

And whereas certain powers are also given to the Commissioners of Her Majesty's Treasury by another Act of Parliament, passed in the 18th year of the reign of Her present Majesty, intituled "An Act to amend the laws relating to the stamp duties on newspapers, and to provide for the transmission by post of printed periodical publications."\*

And whereas it is expedient that regulations should be made for the transmission by the post of the letters and packets hereinafter mentioned.

Now we, the Commissioners of Her Majesty's Treasury, in exercise of the powers reserved to us in and by the said hereinbefore recited Acts, and every of them, and of all other powers enabling us in this behalf, do, by this Warrant, under the hands of two of us the said Commissioners (by the authority of the statute in that case made and provided), order, direct, and declare as follows:

1. On every letter not exceeding  $\frac{1}{4}$  of an ounce in weight, transmitted from *Malta* to *Corfu*, or from *Corfu* to *Malta*, in closed mails, *viâ Italy* (the sea conveyance being by *Italian* mail-packet boats), there shall be charged and taken a combined British and *Foreign* rate of postage of 4*d.*, if such postage be paid either in money or by postage stamps, at the time of the letter being posted, and, if not, a combined British and *Foreign* rate of postage of 6*d.*

2. On every letter transmitted as is hereinbefore in this Warrant mentioned, exceeding  $\frac{1}{4}$  of an ounce in weight, there shall be charged, taken, and paid progressive and additional rates of postage according to the scale of transmission of letters by post, and for the regulation, weight, and number of rates following, that is to say:

On every letter so transmitted exceeding  $\frac{1}{4}$  of an ounce and not exceeding  $\frac{1}{2}$  of an ounce in weight, 2 rates of postage.

On every letter so transmitted exceeding  $\frac{1}{2}$  of an ounce, and not exceeding  $\frac{3}{4}$  of an ounce in weight, 3 rates of postage.

And on every letter so transmitted exceeding  $\frac{3}{4}$  of an ounce, and not exceeding 1 ounce in weight, 4 rates of postage.

And for every additional  $\frac{1}{4}$  of an ounce in weight of any letter so transmitted above the weight of 1 ounce, there shall be charged, taken, and paid 1 additional rate of postage, and every fractional part of such additional  $\frac{1}{4}$  of an ounce shall be charged as an additional  $\frac{1}{4}$  of an ounce in weight; and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such letter would be charged with under this Warrant if not exceeding  $\frac{1}{4}$  of an ounce in weight.

\* See Vol. 10. Page 320.

3. Registered letters may be transmitted by the post, under the authority of this Warrant, upon the payment of such additional charge or rates of postage, or otherwise, as the Postmaster-General may from time to time direct or appoint. Provided that all rates of postage and additional charges or rates from time to time payable thereupon shall be prepaid, and that no payment shall be made thereupon on the delivery of any such registered letters.

4. Nothing herein contained shall be construed in anywise to annul, prejudice, or affect any of the exemptions and privileges granted by or under the said hereinbefore recited Acts, or either of them, or by or under any other Acts of Parliament relating to the Post Office, or any of the privileges which officers, seamen, and soldiers employed in Her Majesty's service are by law entitled to, of sending and receiving letters by the post, subject to the regulations and restrictions in respect of the same.

5. On every packet consisting of printed newspapers, whether British, *Colonial*, or *Foreign*, or consisting of books, publications, or works of literature or art, whether British, *Colonial*, or *Foreign*, not exceeding 2 ounces in weight, transmitted from *Malta* to *Corfu* in closed mails, *viâ Italy* (the sea conveyance being by Italian mail packet boats), there shall be charged and taken a combined British and *Foreign* rate of postage of 2*d*.

6. On every packet transmitted as is hereinbefore in the 5th clause of this Warrant mentioned, exceeding 2 ounces in weight, there shall be charged, taken, and paid, progressive and additional rates of postage according to the scale of weight and number of rates following, that is to say:

On every such packet, if exceeding 2 ounces and not exceeding 4 ounces in weight, 2 rates of postage.

On every such packet, exceeding 4 ounces and not exceeding  $\frac{1}{2}$  of a pound in weight, 4 rates of postage.

On every such packet exceeding  $\frac{1}{2}$  of a pound and not exceeding 1 pound in weight, 8 rates of postage.

On every such packet exceeding 1 pound, and not exceeding  $1\frac{1}{2}$  pound in weight, 12 rates of postage.

And on every such packet, if exceeding  $1\frac{1}{2}$  pound, and not exceeding 2 pounds in weight, 16 rates of postage.

And for every additional  $\frac{1}{2}$  of a pound in weight of any such packet above the weight of 2 pounds, there shall be charged, taken, and paid 4 additional rates of postage; and every fractional part of such additional  $\frac{1}{2}$  of a pound in weight shall be charged as an additional  $\frac{1}{2}$  of a pound in weight, and each progressive and additional rate chargeable under this clause shall be estimated and charged at the sum which any such packet would be charged with under this Warrant, if not exceeding 2 ounces in weight.



7. Every packet which shall be transmitted by the post under the 5th and 6th clauses of this Warrant, shall be so transmitted in conformity with, and under and subject to the several regulations, orders, directions, and conditions hereinafter contained, that is to say:

No packet which in length, or breadth, or width, shall exceed the dimensions of 2 feet, shall be forwarded by the post under the provisions aforesaid.

The terms "books, publications, or works of literature or art," in this Warrant used, shall, for the purpose of this Warrant, mean and comprise all such articles as in their general character are either literary, or consist of printed, engraved, or lithographed matter (although not strictly literary), including printed books, printed publications or compilations, almanacks, printed or lithographed letters and such artistic productions, as prints, printed maps (whether on paper or canvas or cloth), and photographs when not on glass or in frames containing glass, together with any binding, mounting, or covering of, or upon, or belonging to any such article or production, or any portion thereof, and including also any cases or rollers of prints or maps, book markers (whether of paper or otherwise), pencils, pens, or other thing usually appertaining to any such article or production, or necessary for its safe transmission which shall be sent in the same packet with any such article or production to which they or it shall belong. And all letters, notices, and other communications (whether upon paper parchment, or vellum), partly printed or partly lithographed and partly written, which if wholly written would not be considered letters or communications in the nature of letters. Provided, nevertheless, that nothing herein contained shall extend to authorize the sending by the post under the provisions of this Warrant, of any patterns or books of patterns or papers of patterns of any article or thing whatsoever, unless such patterns consist merely of paper, nor of any letter, notice, or other communication (whether upon paper, parchment, or vellum), partly printed or partly lithographed, and partly written, which if wholly written would be considered a letter or a communication in the nature of a letter, nor of any packet consisting of or containing any photographs, drawings, prints, or other contents which may be obviously of an obscene character.

Every packet shall be sent open at the ends or sides, and either without a cover or in a cover or envelope open at the ends or sides, and there shall be no written letter either closed or open, nor any written communication, in the nature of a letter, either closed or open (whether such letter or communication be addressed to, or intended for, the person to whom the packet shall be directed, or any other person), nor any enclosure sealed or otherwise closed against inspection, nor any other

enclosure, not authorized by this Warrant, sent in or with any such packet, nor shall there be any writing or marks of any description upon any such packet, or on the cover or envelope thereof, except the name and address of the person to whom the same is sent, but the name or title of any newspaper, and the name and address of the publisher, newsvendor, or agent by whom the same is sent, may be printed on the cover thereof, and any other packet, not being a newspaper, may have any matter or thing printed on the cover thereof.

Upon every packet transmitted by the post under the 5th and 6th clauses of this Warrant, the postage thereof shall be paid at the time of the same being posted, either in money or by being duly stamped with the proper postage stamp or stamps affixed thereto, which stamp or stamps shall, in every case be affixed or appear on the outside of every such packet near the address or direction, and shall be of the value or amount of the postage duty payable thereon under or by virtue of this Warrant.

8. If any packet transmitted by the post under the 5th and 6th clauses of this Warrant, be sent by the post otherwise than in conformity with the conditions and regulations established by or under the authority of this Warrant, the same shall and may be detained and opened, and at the option of the Postmaster-General shall be either returned or given up to the sender thereof, or be given up to the person to whom the same shall be addressed, or be forwarded to the place of its destination, and any such packet, on being so returned, given up, or forwarded, shall be chargeable with any rates of postage the Postmaster-General may think fit, not exceeding the rates that would be chargeable on such packet as an unpaid letter.

9. The respective letters and packets transmitted by the post, under the provisions of this Warrant, shall be subject to the several orders, directions, regulations, and rates of postage respectively contained in a certain Warrant of the Commissioners of Her Majesty's Treasury, under the hands of two of the said Commissioners, bearing date the 19th day of February, 1855,\* relating to redirected rates of postage upon letters and packets which shall be redirected and again forwarded by the post.

10. The several terms and expressions used in this Warrant shall be construed to have the like meaning in all respects as they would have had if inserted in the said Act passed in the 4th year of the reign of Her present Majesty.

11. The Commissioners for the time being of Her Majesty's Treasury may, by Warrant under their hands, or the hands of any two of them, at any time hereafter, alter, repeal, or revoke any of the rates of postage hereby fixed, or any of the orders,

\* See Vol. 10. Page 289.

directions, regulations, and conditions hereby made, and may make and establish any new or other rates, orders, directions, regulations, and conditions in lieu thereof, and from time to time appoint at what time the rates which may be payable are to be paid.

12. This Warrant shall come into operation on the 1st day of January, 1864.

Whitehall Treasury Chambers, the 11th day of November, 1863.

WM. DUNBAR.

E. H. KNATCHBULL HUGESSEN.

**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from Canada by Canadian Packet Boat. December 9, 1863.*

[Repealed by Warrant, dated December 29, 1865.]

**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from the East Indies, by British Packet Boat direct, or in closed mails, via France. March 15, 1864.*

[Repealed by Warrant, dated September 24, 1864.]

**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Letters transmitted to or from the Australian Colonies, Tasmania, or New Zealand, and between those Colonies and any other Colony or Foreign Country, via the United Kingdom. May 7, 1864.*

[Repealed by Warrant, dated July 16, 1864.]

**ACT of the British Parliament**, *to enable Joint Stock Companies carrying on Business in Foreign Countries to have Official Seals to be used in such Countries.*

[27 Victoria, cap. 19.]

[May 13, 1864.]

WHEREAS there have been and may be established in the United Kingdom Companies whose business is to be carried on

in countries not situate in the United Kingdom, and it is convenient and desirable that investments may be made, and mortgages, conveyances, and leases taken, and contracts and engagements entered into, on behalf of the Company, in such countries, in the name of the Company: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The Companies Seals Act, 1864."

2. Any Company, under "The Companies Act, 1862," whose objects require or comprise the transaction of business, as herein-before mentioned, in foreign countries, may cause to be prepared an official seal for and to be used in any place, district, or territory situate out of the United Kingdom in which the business of the Company shall be carried on, and every such official seal may and shall be a fac-simile of or as nearly as practicable a fac-simile of the common seal of the Company, with the exception that on the face thereof shall be inscribed the name of each and every place, district, or territory in and for which it is to be used: Provided that it shall be lawful for any such Company as aforesaid from time to time to break up and renew any official seal or seals, and to vary the limits within which it is intended to be used.

3. Every Company having or using any such official seal as is authorized by this Act may from time to time, by any instrument or instruments in writing under the common seal of the Company, empower any agent or agents specially appointed for the purpose, or any local agent, board, committee, manager, or commissioner appointed under the provisions of the articles of association of such Company, in any place, district, or territory situate out of the United Kingdom where the business of the Company shall for the time being be carried on, to affix such official seal to any deed, contract, or other instrument to which the Company is or shall be made a party in such place, district or territory, and no other order of the Company or the board of directors thereof shall be necessary to authorize any such seal to be affixed to any deed, contract, or other instrument.

4. Every power granted under the last preceding section shall, as between the Company, their successors and assigns, on the one hand, and the person or persons dealing with the agent or agents, board, committee, manager, or commissioner named in the instrument conferring the power, and all parties claiming through or under such person or persons, on the other hand, continue in force during the period, if any, mentioned in the instrument conferring the power, or if no power be there mentioned then until notice of the revocation or determination of



the power shall have been given to such person or persons as aforesaid.

5. Whenever any such official seal as aforesaid shall be affixed to any document, the person affixing the same shall, by writing under his hand written on the document to which the seal may have been affixed, certify the date when and the place where the same was affixed; and any document to which any such seal shall have been duly affixed within the district or territory or place the name whereof is inscribed on such seal shall bind the Company in the same way and to the same extent and have the same force and effect as if it had been duly sealed with the common seal of the Company.

6. The powers given by this Act shall be exercised by such Companies only as are or shall be expressly authorized to exercise the same by their articles of association, or a special resolution passed according to the provisions of "The Companies Act, 1862," and shall be exercised by such Companies subject to any directions or restrictions in their articles of association or the special resolutions contained.

7. Nothing in this Act contained shall operate to repeal the provisions of the 55th section of the "The Companies Act, 1862," but such section shall continue in force, and all Acts done or to be done thereunder shall be as valid and effectual as if this Act had not been passed.

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from Ceylon or Hongkong, by British Packet direct, or in closed mails, viâ France.* June 11, 1864.

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[Repealed by Warrant, dated September 24, 1864.]

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ACT of the British Parliament, *to indemnify certain Persons from any penal consequences which they may have incurred by sitting and voting as Members of the House of Commons while holding the office of Under Secretary of State.*

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[27 & 28 Victoria, cap. 21.]

[June 23, 1864.]

WHEREAS by an Act passed in the session held in the 21st and 22nd years of the reign of Her present Majesty,\* intituled "An Act for the better Government of India," it is among other things enacted, that after the commencement of that Act any 4 of Her Majesty's Principal Secretaries of State for the time

\* See Vol. 10. Page 1092.

being, and any 4 of the Under Secretaries for the time being to Her Majesty's Principal Secretaries of State, may sit and vote as Members of the House of Commons; but not more than 4 such Principal Secretaries and not more than 4 such Under Secretaries shall sit as Members of the House of Commons at the same time: And whereas on and previously to the 28th day of April, 1863, Austen Henry Layard, Esq., Chichester Samuel Fortescue, Esq., (now the Right Honourable Chichester Samuel Fortescue), Henry Austin Bruce, Esquire, (now the Right Honourable Henry Austin Bruce), and Thomas George Baring, Esquire, being respectively Members of the House of Commons, were 4 of the Under Secretaries for the time being to Her Majesty's Principal Secretaries of State; and on the said 28th day of April, 1863, the Honourable Spencer Compton Cavendish (commonly called Marquis of Hartington), being a Member of the House of Commons, was also appointed to be one of the Under Secretaries for the time being to Her Majesty's Principal Secretaries of State: And whereas between the said 28th day of April, 1863 and the 18th day of April, 1864 (when the said Henry Austin Bruce resigned his said office of Under Secretary) all the said 5 Under Secretaries continued at the same time to sit, and from time to time voted as Members of the House of Commons, whereby they or some or one of them may have incurred or may be in danger of incurring divers penal consequences: And whereas such infringement of the provisions of the Act of Parliament aforesaid having occurred through inadvertence, it is fit and proper that the said Austen Henry Layard, Chichester Samuel Fortescue, Henry Austin Bruce, Thomas George Baring, and Spencer Compton Cavendish (commonly called Marquis of Hartington) should be indemnified from all such penal consequences of their said acts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. That the said Austen Henry Layard Chichester Samuel Fortescue, Henry Austin Bruce, Thomas George Baring, and Spencer Compton Cavendish (commonly called Marquis of Hartington) shall be and each and every of them is hereby indemnified, freed, and discharged from and against all penalties, forfeitures, incapacities, and disabilities whatsoever (if any) incurred or to be incurred by them or any or either of them for or by reason of the aforesaid infringement of the provisions of the said Act of Parliament.

2. In case any action, suit, bill, or indictment, or information shall have been or shall be brought, carried on, or prosecuted against the said Austen Henry Layard, Chichester Samuel Fortescue, Henry Austin Bruce, Thomas George Baring,

and Spencer Compton Cavendish (commonly called Marquis of Hartington), or any or either of them, for or on account of any penalty, forfeiture, incapacity, or disability whatsoever incurred or to be incurred for or by reason of such infringement of the said Act of Parliament as aforesaid, they or he may plead the general issue, and upon their or his defence give this Act and the special matter in evidence upon any trial to be had thereupon.

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*ACT of the British Parliament, to provide for the Appointment, Duties, and Remuneration of Agents for Ships of War, and for the Distribution of Salvage, Bounty, Prize, and other Money among the Officers and Crews thereof.*

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[27 & 28 Vict., cap. 24.]

[June 23, 1864.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

3. Any ship or vessel belonging to Her Majesty, and in actual service (other than a ship of war), may be declared by the Lords of the Admiralty to be a ship of war for the purposes of this Act; and all the provisions of this Act shall thereupon apply to such ship or vessel, and shall continue to so apply as long as she then continues in actual service, but no longer.

#### *Appointment of Ship's Agent.*

4. Each of Her Majesty's ships of war shall at all times while in commission have, for the purposes of this Act, an agent styled the ship's agent, to be appointed in the first instance as soon as may be after the ship is put in commission, and afterwards from time to time as a vacancy in the office or other occasion may require.

5. The ship's agent shall be appointed from time to time at pleasure by the commanding officer of the ship for the time being by an instrument signed and attested in the form given in the Schedule to this Act.

6. Any such instrument shall not have effect unless and until it is filed in the Registry of the High Court of Admiralty, having been previously registered in the office of the Accountant-General of the Navy.

An official copy of any such instrument under the seal of the High Court of Admiralty shall be conclusive evidence thereof.

7. A person holding any office or employment in Her

Majesty's service or under the Crown, or a proctor, attorney, or solicitor, shall not be capable of being a ship's agent.

If any person being a ship's agent accepts any such office or employment, or becomes a proctor, attorney, or solicitor, his appointment as ship's agent shall be thereby vacated.

8. A partnership body, not incorporated, may be appointed a ship's agent; and in that case the partners for the time being, or any one or more of them, may act as the agent; and any change of partners shall not affect the appointment.

The names of the partners shall at the time of appointment, and from time to time on any change happening, be registered in the office of the Accountant-General of the Navy, and in the Registry of the High Court of Admiralty.

9. The appointment of the ship's agent shall not be affected by a change of the commanding officer of the ship.

10. The ship's agent shall at all times have an office or place of business within 5 miles of the General Post Office, London.

11. The ship's agent shall be subject to the jurisdiction and authority of the High Court of Admiralty as if he were an officer of the court, and in case of any neglect or misconduct on his part shall be liable to be proceeded against and punished accordingly.

#### *Duties of Ship's Agent.*

12. It shall be the duty of the ship's agent, by himself or by a proper sub-agent appointed and remunerated by him, to take or cause or procure to be taken all steps and proceedings, and do or cause or procure to be done all things that may be necessary or proper to be taken or done for any purpose on behalf or in the name of the ship or of the officers and crew thereof, or any of them, in the several cases following:

In case of salvage services rendered to any ship or cargo, or otherwise, within the meaning of the enactments for the time being in force relating to merchant shipping;

In case of any breach of any law respecting national character or otherwise relating to merchant shipping;

In case of any seizure for breach of any law relating to the customs;

In case of any seizure or capture under any Act relating to the abolition of the Slave Trade;

In case of any matter arising out of an attack on or engagement with persons alleged to be pirates, afloat or on shore;

In case of any capture, re-capture or destruction of any ship, goods, or thing in time of war or hostilities;

In case of any special service or other matter in respect whereof any grant, reward, or remuneration is payable.



*Distribution of Salvage, Bounty, Prize, and other Money.*

13. Where in any of the several cases aforesaid any money is distributable among the officers and crew of any of Her Majesty's ships of war, the costs, charges, and expenses of the officers and crew and of the ship's agent, and all other (if any) costs, charges, or expenses properly chargeable against that money, shall be paid thereout before distribution thereof, all such costs, charges, and expenses being first taxed and allowed by the proper officer of the court having jurisdiction in the case, and if there is no such court then by the Registrar of the High Court of Admiralty.

14. In the several cases aforesaid, money distributable among the officers and crew of any of Her Majesty's ships of war, so far as full provision respecting the distribution thereof is not made by or under any Act of Parliament other than this Act, shall be distributed under the direction of the Lords of the Admiralty in the shares in that behalf specified in any Royal Proclamation or Order in Council.

15. The several shares of any such money as aforesaid shall be paid to the persons entitled thereto in such manner, and subject and according to such restrictions, conditions, and provisions, as may from time to time be directed by Order in Council.

Any assignment, sale, or contract of or relating to any such money as aforesaid, payable in respect of the services of any petty officer or seaman, non-commissioned officer of marines or marine, other than such as may be made or entered into under the authority of and in conformity with any such Order in Council, shall be void.

16. All bills, orders, receipts, and other instruments drawn, given, or made under the authority or in pursuance of any such Order in Council by, to, or upon any officer or person in the service of Her Majesty or of the Lords of the Admiralty, shall be exempt from stamp duty.

17. All forfeited and unclaimed shares and balances of prize money, and a percentage of 5*l.* in every 100*l.* out of the proceeds of all prizes, and out of all grants to the Royal Navy and Marines, and out of all bounty money, and also out of all other money distributable in the several cases aforesaid among the officers and crew of any of Her Majesty's ships of war out of which such percentage is at the commencement of this Act by law deducted, shall, under the direction of the Lords of the Admiralty, continue to be carried to and to form part of the naval prize cash balance.

So much of the naval prize cash balance as the Lords of the Admiralty think expedient shall from time to time by Her Majesty's Paymaster-General, under the authority and direc-

tion of the Lords of the Admiralty, be paid and transferred to the Consolidated Fund of the United Kingdom.

In case at any time a claim in respect of prize or bounty money is made which the naval prize cash balance is not sufficient to meet, there shall be paid out of the said Consolidated Fund a sufficient sum to meet such claim.

18. A ship's agent shall be entitled, on request, and on payment of reasonable expenses, to be furnished with copies of or extracts from any official accounts kept under or for the purposes of this Act in relation to any of Her Majesty's ships of war for which he is agent.

*Remuneration of Ship's Agent.*

19. Before any such money as aforesaid is distributed among the officers and crew of any of Her Majesty's ships of war there shall be paid, under the direction of the Lords of the Admiralty, to the ship's agent a percentage of  $2\frac{1}{2}$  per centum on the net amount actually distributable, as the sole and full remuneration of the ship's agent for his services in the case.

20. In the following cases:

Where more than one of Her Majesty's ships of war are entitled to participate in any such money:

Where the ship's agent is charged pending proceedings: the ship's agent's percentage shall, in case of difference, be apportioned between or among the respective agents of the several ships, or the several persons having been and being the ship's agent (as the case may be), in such manner as the Registrar of the High Court of Admiralty thinks just, having regard to the duration and character of the services of the several agents in the case, subject to objection to the Registrar's award to be taken before the judge of the court.

*Investment of Salvage, Bounty, Prize and other Money.*

21. Any money for the time being awaiting distribution, but for any reason not immediately distributable as aforesaid, may, under the direction of the Lords of the Admiralty, be invested in or on any proper stocks, funds, or securities; and the proceeds of those stocks, funds, or securities, and any dividends or interest accrued due thereon, shall be distributed as the money invested would have been distributed if an investment had not been made:

Provided that no such investment shall be made of any money pending any adverse claim thereto, except with the consent of the claimant.

*Decision as to Distribution or Investment.*

22. Where any question (whether in respect of asserted joint capture, or in respect of flag shares, or in respect of any

other matter) arises concerning the distribution of any money distributable as aforesaid, or concerning any investment thereof, actual or intended, the High Court of Admiralty shall have exclusive jurisdiction to hear and determine the same; and any person claiming an interest in such money, or the Lords of the Admiralty, may apply to the High Court of Admiralty for a judgment on that question; and the court, after hearing the parties interested, shall decide thereon, and such decision shall be final, and shall be binding on all persons concerned.

*Miscellaneous.*

23. Nothing in this Act shall :

(1.) Authorize a ship's agent or his sub-agent to practise or act as a proctor, attorney, solicitor, or other legal practitioner in any court; or

(2.) Affect the right or power of the officers and crew of any of Her Majesty's ships of war as salvors, seizors, captors, recaptors, or otherwise, or of any such officers and crew, to take or cause or procure to be taken any step or proceeding, or do or cause or procure to be done any thing, that may be necessary or proper to be taken or done for any purpose in any court or elsewhere, in case of the absence or default of the ship's agent; or

(3.) Affect any right or power of control or other authority, that Her Majesty has or may exercise in any prize cause or other proceeding.

24. Nothing in this Act shall invalidate an appointment of an agent made before the commencement of this Act under "The Navy Prize Agents Act, 1863;" but every agent so appointed shall, from the commencement of this Act, be subject to this Act as if he were appointed under it.

25. Her Majesty in Council may from time to time make such orders as seem meet for the better execution of this Act.

26. Every Order in Council under this Act shall be published in the "London Gazette," and shall be laid before both Houses of Parliament within 30 days after the making thereof, if Parliament is then sitting, and, if not, then within 30 days after the next meeting of Parliament.

This Act shall commence on such day not later than the 1st day of January, 1865, as Her Majesty in Council thinks fit to direct.

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SCHEDULE.

*Form of Appointment of Ship's Agent.*

I,	* commanding officer of Her Majesty's	
	† hereby appoint	‡ of
* Name of officer.	† Description and name of ship.	
	‡ Name of agent.	

\* to be the ship's agent for the  
purposes of "The Naval Agency and Distribution Act, 1864."

Dated the

day of

(Signed) A.B.

Witness,

(Signed) C.D.

*ACT of the British Parliament, for regulating Naval Prize of War.*

[27 & 28 Vict., cap. 25.]

[23rd June, 1864.]

WHEREAS it is expedient to enact permanently, with amendments, such provisions concerning naval prize, and matters connected therewith, as have heretofore been usually passed at the beginning of a war:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Naval Prize Act, 1864."

2. In this Act—

The term "the Lords of the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral.

The term "the High Court of Admiralty" means the High Court of Admiralty of England.

The term "any of Her Majesty's Ships of War" includes any of Her Majesty's vessels of war, and any hired armed ship or vessel in Her Majesty's service.

The term "officers and crew" includes flag officers, commanders, and other officers, engineers, seamen, marines, soldiers, and others on board any of Her Majesty's ships of war.

The term "ship" includes vessel and boat, with the tackle, furniture, and apparel of the ship, vessel, or boat.

The term "ship's papers" includes all books, passes, sea briefs, charter parties, bills of lading, cockets, letters, and other documents and writings delivered up or found on board a captured ship.

The term "goods" includes all such things as are by the course of Admiralty and law of nations the subject of adjudication as prize (other than ships).

### I.—PRIZE COURTS.

3. The High Court of Admiralty, and every Court of Admiralty or of Vice-Admiralty, or other court exercising Admiralty

\* Address of Agent.



jurisdiction in Her Majesty's dominions, for the time being authorized to take cognizance of and judicially proceed in matters of prize, shall be a prize court within the meaning of this Act.

Every such court, other than the High Court of Admiralty, is comprised in the term "Vice-Admiralty Prize Court," when hereafter used in this Act.

*High Court of Admiralty.*

4. The High Court of Admiralty shall have jurisdiction throughout Her Majesty's dominions as a prize court.

The High Court of Admiralty as a prize court shall have power to enforce any order or decree of a Vice-Admiralty Prize Court, and any order or decree of the Judicial Committee of the Privy Council in a prize appeal.

*Appeal; Judicial Committee.*

5. An appeal shall lie to Her Majesty in Council from any order or decree of a prize court, as of right in case of a final decree, and in other cases with the leave of the court making the order or decree.

Every appeal shall be made in such manner and form and subject to such regulations (including regulations as to fees, costs, charges, and expenses) as may for the time being be directed by Order in Council, and in the absence of any such order, or so far as any such order does not extend, then in such manner and form and subject to such regulations as are for the time being prescribed or in force respecting maritime causes of appeal.

6. The Judicial Committee of the Privy Council shall have jurisdiction to hear and report on any such appeal, and may therein exercise all such powers as for the time being appertain to them in respect of appeals from any Court of Admiralty jurisdiction, and all such powers as are under this Act vested in the High Court of Admiralty, and all such powers as were wont to be exercised by the Commissioners of Appeal in Prize Causes.

7. All processes and documents required for the purposes of any such appeal shall be transmitted to and shall remain in the custody of the Registrar of Her Majesty in Prize Appeals.

8. In every such appeal the usual inhibition shall be extracted from the registry of Her Majesty in prize appeals within 3 months after the date of the order or decree appealed from if the appeal be from the High Court of Admiralty, and within 6 months after that date if it be from a Vice-Admiralty Prize Court.

The Judicial Committee may, nevertheless, on sufficient cause shown, allow the inhibition to be extracted and the appeal to be prosecuted after the expiration of the respective periods aforesaid.

*Vice-Admiralty Prize Courts.*

9. Every Vice-Admiralty Prize Court shall enforce within its jurisdiction all orders and decrees of the Judicial Committee in prize appeals and of the High Court of Admiralty in prize causes.

11. In accordance as far as circumstances admit, with the principles and regulations laid down in the Superannuation Act, 1859,\* Her Majesty in Council may grant to the judge of any Vice-Admiralty Prize Court an annual or other allowance, to take effect on the termination of his service, and to be payable out of money provided by Parliament.

12. The registrar of every Vice-Admiralty Prize Court shall, on the 1st day of January and 1st day of July in every year, make out a return (in such form as the Lords of the Admiralty from time to time direct) of all cases adjudged in the court since the last half-yearly return, and shall with all convenient speed send the same to the registrar of the High Court of Admiralty, who shall keep the same in the registry of that court, and who shall, as soon as conveniently may be, send a copy of the returns of each half-year to the Lords of the Admiralty, who shall lay the same before both Houses of Parliament.

*General.*

13. The Judicial Committee of the Privy Council, with the judge of the High Court of Admiralty, may from time to time frame general orders for regulating (subject to the provisions of this Act) the procedure and practice of Prize Courts, and the duties and conduct of the officers thereof and of the practitioners therein, and for regulating the fees to be taken by the officers of the Courts, and the costs, charges, and expenses to be allowed to the practitioners therein.

Any such general orders shall have full effect, if and when approved by Her Majesty in Council, but not sooner or otherwise.

Every Order in Council made under this section shall be laid before both Houses of Parliament.

Every such Order in Council shall be kept exhibited in a conspicuous place in each court to which it relates.

14. It shall not be lawful for any registrar, marshal, or other officer of any Prize Court, or for the registrar of Her Majesty in prize appeals, directly or indirectly to act or be in any manner

\* See Vol. 11. Page 238.

concerned as advocate, proctor, solicitor, or agent, or otherwise, in any prize cause or appeal, on pain of dismissal or suspension from office, by order of the court or of the Judicial Committee (as the case may require).

15. It shall not be lawful for any proctor or solicitor, or person practising as a proctor or solicitor, being employed by a party in a prize cause or appeal, to be employed or concerned, by himself or his partner, or by any other person, directly or indirectly, by or on behalf of any adverse party in that cause or appeal, on pain of exclusion or suspension from practice in prize matters, by order of the court or of the Judicial Committee (as the case may require).

## II.—PROCEDURE IN PRIZE CAUSES.

### *Proceedings by Captors.*

16. Every ship taken as prize, and brought into port within the jurisdiction of a Prize Court, shall forthwith, and without bulk broken, be delivered up to the marshal of the court.

If there is no such marshal, then the ship shall be in like manner delivered up to the principal officer of Customs at the port.

The ship shall remain in the custody of the marshal, or of such officer subject to the orders of the court.

17. The captors shall, with all practicable speed after the ship is brought into port, bring the ship papers into the registry of the court.

The officer in command, or one of the chief officers of the capturing ship, or some other person who was present at the capture, and saw the ship papers delivered up or found on board, shall make oath that they are brought in as they were taken, without fraud, addition, subduction, or alteration, or else shall account on oath to the satisfaction of the court for the absence or altered condition of the ship papers or any of them.

Where no ship papers are delivered up or found on board the captured ship, the officer in command, or one of the chief officers of the capturing ship, or some other person who was present at the capture, shall make oath to that effect.

18. As soon as the affidavit as to ship papers is filed, a monition shall issue, returnable within 20 days from the service thereof, citing all persons in general to show cause why the captured ship should not be condemned.

19. The captors shall, with all practicable speed after the captured ship is brought into port, bring 3 or 4 of the principal persons belonging to the captured ship before the judge of the

court or some person authorized in this behalf, by whom they shall be examined on oath on the standing interrogatories.

The preparatory examinations on the standing interrogatories shall, if possible, be concluded within 5 days from the commencement thereof.

20. After the return of the monition, the court shall, on production of the preparatory examinations and ship papers, proceed with all convenient speed either to condemn or to release the captured ship.

21. Where, on production of the preparatory examinations and ship papers, it appears to the court doubtful whether the captured ship is good prize or not, the court may direct further proof to be adduced, either by affidavit or by examination of witnesses, with or without pleadings, or by production of further documents; and on such further proof being adduced the court shall with all convenient speed proceed to adjudication.

22. The foregoing provisions, as far as they relate to the custody of the ship, and to examination on the standing interrogatories, shall not apply to ships of war taken as prize.

#### *Claim.*

23. At any time before final decree made in the cause, any person claiming an interest in the ship may enter in the registry of the court a claim, verified on oath.

Within 5 days after entering the claim, the claimant shall give security for costs in the sum of 60*l.*; but the court shall have power to enlarge the time for giving security, or to direct security to be given in a larger sum, if the circumstances appear to require it.

#### *Appraisement.*

24. The court may, if it thinks fit, at any time direct that the captured ship be appraised.

Every appraisement shall be made by competent persons sworn to make the same according to the best of their skill and knowledge.

#### *Delivery on Bail.*

25. After appraisement, the court may, if it thinks fit, direct that the captured ship be delivered up to the claimant, on his giving security to the satisfaction of the court to pay to the captors the appraised value thereof in case of condemnation.

#### *Sale.*

26. The court may at any time, if it thinks fit, on account of the condition of the captured ship, or on the application of a



claimant, order that the captured ship be appraised as aforesaid (if not already appraised), and be sold.

27. On or after condemnation the court may, if it thinks fit, order that the ship be appraised as aforesaid (if not already appraised), and be sold.

28. Every sale shall be made by or under the superintendence of the marshal of the court or of the officer having the custody of the captured ship.

29. The proceeds of any sale, made either before or after condemnation, and after condemnation the appraised value of the captured ship, in case she has been delivered up to a claimant on bail, shall be paid under an order of the court either into the Bank of England to the credit of Her Majesty's Paymaster General, or into the hands of an official accountant (belonging to the Commissariat or some other department) appointed for this purpose by the Commissioners of Her Majesty's Treasury or by the Lords of the Admiralty, subject in either case to such regulations as may from time to time be made, by Order in Council, as to the custody and disposal of money so paid.

*Small Armed Ships.*

30. The captors may include in one adjudication any number, not exceeding 6, of armed ships not exceeding 100 tons each, taken within 3 months next before institution of proceedings.

*Goods.*

31. The foregoing provisions relating to ships shall extend and apply, *mutatis mutandis*, to goods taken as prize on board ship; and the court may direct such goods to be unladen, inventoried, and warehoused.

*Monition to Captors to proceed.*

32. If the captors fail to institute or to prosecute with effect proceedings for adjudication, a monition shall, on the application of a claimant, issue against the captors, returnable within 6 days from the service thereof, citing them to appear and proceed to adjudication; and on the return thereof the court shall either forthwith proceed to adjudication or direct further proof to be adduced as aforesaid, and then proceed to adjudication.

*Claim on Appeal.*

33. Where any person, not an original party in the cause, intervenes on appeal, he shall enter a claim, verified on oath, and shall give security for costs.

### III.—SPECIAL CASES OF CAPTURE.

*Land Expeditions.*

34. Where, in an expedition of any of Her Majesty's naval

or naval and military forces against a fortress or possession on land, goods belonging to the State of the enemy or to a public trading company of the enemy exercising powers of government are taken in the fortress or possession, or a ship is taken in waters defended by or belonging to the fortress or possession, a Prize Court shall have jurisdiction as to the goods or ship so taken, and any goods taken on board the ship, as in case of prize.

*Conjunct Capture with Ally.*

35. Where any ship or goods is or are taken by any of Her Majesty's naval or naval and military forces while acting in conjunction with any forces of any of Her Majesty's allies, a Prize Court shall have jurisdiction as to the same as in case of prize, and shall have power, after condemnation, to apportion the due share of the proceeds to Her Majesty's ally, the proportionate amount and the disposition of which share shall be such as may from time to time be agreed between Her Majesty and Her Majesty's ally.

*Joint Capture.*

36. Before condemnation, a petition on behalf of asserted joint captors shall not (except by special leave of the court) be admitted, unless and until they give security to the satisfaction of the court to contribute to the actual captors a just proportion of any costs, charges, or expenses or damages that may be incurred by or awarded against the actual captors on account of the capture and detention of the prize.

After condemnation, such a petition shall not (except by special leave of the court) be admitted unless and until the asserted joint captors pay to the actual captors a just proportion of the costs, charges, and expenses incurred by the actual captors in the case, and give such security as aforesaid, and show sufficient cause to the court why their petition was not presented before condemnation.

Provided, that nothing in the present section shall extend to the asserted interest of a flag officer claiming to share by virtue of his flag.

*Offences against Law of Prize.*

37. A Prize Court, on proof of any offence against the law of nations, or against this Act, or any Act relating to naval discipline, or against any Order in Council or Royal Proclamation, or of any breach of Her Majesty's instructions relating to prize, or of any act of disobedience to the orders of the Lords of the Admiralty, or to the command of a superior officer, committed by the captors in relation to any ship or goods taken as prize, or in relation to any person on board any such ship, may, on condemnation, reserve the prize to Her Majesty's disposal,

notwithstanding any grant that may have been made by Her Majesty in favour of captors.

*Pre-emption.*

38. Where a ship of a foreign nation passing the seas laden with naval and victualling stores intended to be carried to a port of any enemy of Her Majesty is taken and brought into a port of the United Kingdom, and the purchase for the service of Her Majesty of the stores on board the ship appears to the Lords of the Admiralty expedient without the condemnation thereof in a Prize Court, in that case the Lords of the Admiralty may purchase, on the account or for the service of Her Majesty, all or any of the stores on board the ship; and the Commissioners of Customs may permit the stores purchased to be entered and landed within any port.

*Capture by Ship other than a Ship of War.*

39. Any ship or goods taken as prize by any of the officers and crew of a ship other than a ship of war of Her Majesty shall, on condemnation, belong to Her Majesty in her office of Admiralty.

IV.—PRIZE SALVAGE.

40. Where any ship or goods belonging to any of Her Majesty's subjects, after being taken as prize by the enemy, is or are retaken from the enemy by any of Her Majesty's ships of war, the same shall be restored by decree of a Prize Court to the owner, on his paying as prize salvage one-eighth part of the value of the prize to be decreed and ascertained by the court, or such sum not exceeding one-eighth part of the estimated value of the prize as may be agreed on between the owner and the re-captors, and approved by order of the court: Provided, that where the re-capture is made under circumstances of special difficulty or danger, the Prize Court may, if it thinks fit, award to the re-captors as prize salvage a larger part than one-eighth part, but not exceeding in any case one-fourth part, of the value of the prize.

Provided also, that where a ship after being so taken is set forth or used by any of Her Majesty's enemies as a ship of war, this provision for restitution shall not apply, and the ship shall be adjudicated on as in other cases of prize.

41. Where a ship belonging to any of Her Majesty's subjects, after being taken as prize by the enemy, is retaken from the enemy by any of Her Majesty's ships of war, she may, with consent of the re-captors, prosecute her voyage, and it shall not be necessary for the re-captors to proceed to adjudication till her return to a port of the United Kingdom.

The master or owner, or his agent, may, with the consent of the re-captors, unload and dispose of the goods on board the ship before adjudication.

In case the ship does not, within 6 months, return to a port of the United Kingdom, the re-captors may nevertheless institute proceedings against the ship or goods in the High Court of Admiralty, and the court may thereupon award prize salvage as aforesaid to the re-captors, and may enforce payment thereof, either by warrant of arrest against the ship or goods, or by monition and attachment against the owner.

#### V.—PRIZE BOUNTY.

42. If, in relation to any war, Her Majesty is pleased to declare, by Proclamation or Order in Council, her intention to grant prize bounty to the officers and crews of her ships of war, then such of the officers and crew of any of Her Majesty's ships of war as are actually present at the taking or destroying of any armed ship of any of Her Majesty's enemies shall be entitled to have distributed among them as prize bounty a sum calculated at the rate of 5*l.* for each person on board the enemy's ship at the beginning of the engagement.

43. The number of the persons so on board the enemy's ship shall be proved in a Prize Court, either by the examinations on oath of the survivors of them, or of any 3 or more of the survivors, or if there is no survivor by the papers of the enemy's ship, or by the examinations on oath of 3 or more of the officers and crew of Her Majesty's ship, or by such other evidence as may seem to the court sufficient in the circumstances.

The court shall make a decree declaring the title of the officers and crew of Her Majesty's ship to the prize bounty, and stating the amount thereof.

The decree shall be subject to appeal as other decrees of the court.

44. On production of an official copy of the decree the Commissioners of Her Majesty's Treasury shall, out of money provided by Parliament, pay the amount of prize bounty decreed, in such manner as any Order in Council may from time to time direct.

#### VI.—MISCELLANEOUS PROVISIONS.

##### *Ransom.*

45. Her Majesty in Council may from time to time, in relation to any war, make such orders as may seem expedient, according to circumstances, for prohibiting or allowing, wholly or in certain cases, or subject to any conditions or regulations or otherwise, as may from time to time seem meet, the ransoming or the entering into any contract or agreement for the ransoming of any ship or goods belonging to any of Her



Majesty's subjects, and taken as prize by any of Her Majesty's enemies.

Any contract or agreement entered into, and any bill, bond, or other security given for ransom of any ship or goods, shall be under the exclusive jurisdiction of the High Court of Admiralty as a Prize Court (subject to appeal to the Judicial Committee of the Privy Council), and if entered into or given in contravention of any such Order in Council shall be deemed to have been entered into or given for an illegal consideration.

If any person ransoms or enters into any contract or agreement for ransoming any ship or goods, in contravention of any such Order in Council, he shall for every such offence be liable to be proceeded against in the High Court of Admiralty at the suit of Her Majesty in her office of Admiralty, and on conviction to be fined, in the discretion of the court, any sum not exceeding 500*l*.

#### *Convoy.*

46. If the master or other person having the command of any ship of any of Her Majesty's subjects, under the convoy of any of Her Majesty's ships of war, wilfully disobeys any lawful signal, instruction, or command of the Commander of the convoy, or without leave deserts the convoy, he shall be liable to be proceeded against in the High Court of Admiralty at the suit of Her Majesty in her office of Admiralty, and upon conviction to be fined, in the discretion of the court, any sum not exceeding 500*l*., and to suffer imprisonment for such time, not exceeding one year, as the court may adjudge.

#### *Customs Duties and Regulations.*

47. All ships and goods taken as prize and brought into a port of the United Kingdom shall be liable to and be charged with the same rates and charges and duties of Customs as under any Act relating to the Customs may be chargeable on other ships and goods of the like description; and

All goods brought in as prize which would on the voluntary importation thereof be liable to forfeiture or subject to any restriction under the laws relating to the Customs, shall be deemed to be so liable and subject, unless the Commissioners of Customs see fit to authorize the sale or delivery thereof for home use or exportation, unconditionally or subject to such conditions and regulations as they may direct.

48. Where any ship or goods taken as prize is or are brought into a port of the United Kingdom, the master or other person in charge or command of the ship which has been taken or in which the goods are brought shall, on arrival at such port, bring to at the proper place of discharge, and shall, when required by any officer of Customs, deliver an account in writing

under his hand concerning such ship and goods, giving such particulars relating thereto as may be in his power, and shall truly answer all questions concerning such ship or goods asked by any such officer, and in default shall forfeit a sum not exceeding 100*l.*, such forfeiture to be enforced as forfeitures for offences against the laws relating to the Customs are enforced, and every such ship shall be liable to such searches as other ships are liable to, and the officers of the Customs may freely go on board such ship and bring to the Queen's warehouse any goods on board the same, subject, nevertheless, to such regulations in respect of ships of war belonging to Her Majesty as shall from time to time be issued by the Commissioners of Her Majesty's Treasury.

49. Goods taken as prize may be sold either for home consumption or for exportation; and if in the former case the proceeds thereof, after payment of duties of Customs, are insufficient to satisfy the just and reasonable claims thereon, the Commissioners of Her Majesty's Treasury may remit the whole or such part of the said duties as they see fit.

*Perjury.*

50. If any person wilfully and corruptly swears, declares, or affirms falsely in any prize cause or appeal, or in any proceeding under this Act, or in respect of any matter required by this Act to be verified on oath, or suborns any other person to do so, he shall be deemed guilty of perjury, or of subornation of perjury (as the case may be), and shall be liable to be punished accordingly.

*Limitation of Actions, &c.*

51. Any action or proceeding shall not lie in any part of Her Majesty's dominions against any person acting under the authority or in the execution or intended execution or in pursuance of this Act for any alleged irregularity or trespass, or other act or thing done or omitted by him under this Act, unless notice in writing (specifying the cause of the action or proceeding) is given by the intending plaintiff or prosecutor to the intended defendant one month at least before the commencement of the action or proceeding, nor unless the action or proceeding is commenced within 6 months next after the Act or thing complained of is done or omitted, or, in case of a continuation of damage, within 6 months next after the doing of such damage has ceased.

In any such action the defendant may plead generally that the act or thing complained of was done or omitted by him when acting under the authority or in the execution or intended execution or in pursuance of this Act, and may give all special matter in evidence; and the plaintiff shall not succeed

if tender of sufficient amends is made by the defendant before the commencement of the action; and in case no tender has been made, the defendant may, by leave of the court in which the action is brought, at any time pay into court such sum of money as he thinks fit, whereupon such proceeding and order shall be had and made in and by the court as may be had and made on the payment of money into court in an ordinary action; and if the plaintiff does not succeed in the action, the defendant shall receive such full and reasonable indemnity as to all costs, charges, and expenses incurred in and about the action as may be taxed and allowed by the proper officer, subject to review; and though a verdict is given for the plaintiff in the action he shall not have costs against the defendant, unless the judge before whom the trial is had certifies his approval of the action.

Any such action or proceeding against any person in her Majesty's naval service, or in the employment of the Lords of the Admiralty, shall not be brought or instituted elsewhere than in the United Kingdom.

#### *Petitions of Right.*

52. A petition of right, under "The Petitions of Right Act, 1860," may, if the suppliant thinks fit, be intituled in the High Court of Admiralty, in case the subject matter of the petition or any material part thereof arises out of the exercise of any belligerent right on behalf of the Crown, or would be cognizable in a Prize Court within Her Majesty's dominions if the same were a matter in dispute between private persons.

Any Petition of Right under the last-mentioned Act, whether intituled in the High Court of Admiralty or not, may be prosecuted in that court, if the Lord Chancellor thinks fit so to direct.

The provisions of this Act relative to appeal, and to the framing and approval of general orders for regulating the procedure and practice of the High Court of Admiralty, shall extend to the case of any such Petition of Right intituled or directed to be prosecuted in that court; and, subject thereto, all the provisions of "The Petitions of Right Act, 1860," shall apply, *mutatis mutandis*, in the case of any such Petition of Right; and for the purposes of the present section the terms "court" and "judge" in that Act shall respectively be understood to include and to mean the High Court of Admiralty and the judge thereof, and other terms shall have the respective meanings given to them in that Act.

#### *Orders in Council.*

53. Her Majesty in Council may from time to time make such Orders in Council as seem meet for the better execution of this Act.

54. Every Order in Council under this Act shall be published in the London Gazette, and shall be laid before both Houses of Parliament within 30 days after the making thereof, if Parliament is then sitting, and, if not, then within 30 days after the next meeting of Parliament.

*Savings.*

55. Nothing in this Act shall—

(1.) Give to the officers and crew of any of Her Majesty's ships of war any right or claim in or to any ship or goods taken as prize or the proceeds thereof, it being the intent of this Act that such officers and crews shall continue to take only such interest (if any) in the proceeds of prizes as may be from time to time granted to them by the Crown; or

(2.) Affect the operation of any existing Treaty or Convention with any foreign Power; or

(3.) Take away or abridge the power of the Crown to enter into any Treaty or Convention with any Foreign Power containing any stipulation that may seem meet concerning any matter to which this Act relates; or

(4.) Take away, abridge, or control, further or otherwise than as expressly provided by this Act, any right, power, or prerogative of Her Majesty the Queen in right of Her Crown, or in right of Her Office of Admiralty, or any right or power of the Lord High Admiral of the United Kingdom, or of the Commissioners for executing the office of Lord High Admiral; or

(5.) Take away, abridge, or control, further or otherwise than as expressly provided by this Act, the jurisdiction or authority of a Prize Court to take cognizance of and judicially proceed upon any capture, seizure, prize, or reprisal of any ship or goods, and to hear and determine the same, and, according to the course of Admiralty and the law of nations, to adjudge and condemn any ship or goods, or any other jurisdiction or authority of or exerciseable by a Prize Court.

*Commencement.*

56. This Act shall commence on the commencement of the Naval Agency and Distribution Act, 1864.

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*ACT of the British Parliament, for confirming a Provisional Order concerning Pilotage made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862,"\* relating to Hartlepool.*

[27 & 28 Vic., cap. 58.]

[July 25, 1864.]

WHEREAS a Provisional Order was made by the Board of

\* See Vol. 11. Page 328.



Trade under "The Merchant Shipping Act Amendment Act, 1862," does not take effect unless and until it is confirmed by Act of Parliament;

And whereas it is expedient that the Provisional Order made by the Board of Trade under the said Act, and set out in the Schedule hereto, with the amendment hereinafter mentioned, should be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Provisional Order set out in the Schedule hereto shall be and is hereby confirmed, and all the provisions thereof, in manner and form as they are set out in the said Schedule shall, from and after the passing of this Act, take effect and have full validity and force, except as hereinafter mentioned.

2. [Amendment of order, relative to compensation money payable by Treasury in respect of differential dues for the district to be paid to the Commissioners.]

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#### EXTRACT FROM SCHEDULE.

##### HARTLEPOOL.

*Provisional Order of the Board of Trade for constituting Pilotage Commissioners for Hartlepool in the County of Durham, and for regulating their Jurisdiction.*

10. *Limits of District.*—The Hartlepool pilotage district shall, for the purposes of this Order, be deemed to extend from a point called Black Halls on the north side of the borough of Hartlepool to the southernmost end of the village of Seaton Carew on the south side of that borough.

11. *Pilotage.*—The jurisdiction in pilotage matters within the Hartlepool pilotage district now vested in the Trinity House of Newcastle-upon-Tyne shall be and is hereby transferred to and vested in the Commissioners incorporated by this Order.

15. The following pilotage dues shall be paid, namely:

For every British ship or other vessel piloted and conducted within the Hartlepool pilotage district, from and including the 1st day of April to the 1st day of October in any year, at the rate of 1s. 3d. for every foot of water which such ship or vessel draws:

For every such ship or vessel so piloted and conducted, from and including the 1st day of October in any year to the 1st day of April in the following year, at the rate of 1s. 6d. for each such foot:

which pilotage dues shall be paid to the Commissioners or the pilot performing such pilotage duty within 5 days after the performance thereof; provided, that the Commissioners may from time to time increase or diminish the said pilotage dues, subject to the approval of the Board of Trade.

16. Nothing in this Order shall extend to oblige the owner or master of any ship or vessel to employ or make use of any pilot in piloting or conducting such ship or vessel within the Hartlepool pilotage district if he is not desirous so to do, or to pay any pilotage dues when not employing or making use of a pilot.

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*ACT of the British Parliament, to amend "The West Indian Incumbered Estates Acts."*

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[27 & 28 Vic., cap. 108.]

[July 29, 1864.]

WHEREAS it is contemplated that "The West Indian Incumbered Estates Acts, 1854,\* 1858,† 1862,"‡ should, in so far as such Acts or any provisions thereof are temporary in their duration, be continued by an Act of the present session of Parliament for a further period to be named in such Act, and it is expedient that the same Acts should be amended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same, as follows:

1. This Act may for all purposes be cited as "The West Indian Incumbered Estates Act, 1864."

2. "The West Indian Incumbered Estates Act, 1854," hereinafter called the Principal Act, "The West Indian Incumbered Estates Act, 1858," hereinafter called the First Amendment Act, and "The West Indian Incumbered Estates Act, 1862," hereinafter called the Second Amendment Act, shall, so far as is consistent with the context and objects of such Acts, be construed as one Act; and the Principal Act, the First Amendment Act, the Second Amendment Act, and this Act, may for all purposes be cited as "The West Indian Incumbered Estates Act, 1854, 1858, 1862, 1864."

3. Where Her Majesty, by Order in Council, has directed or shall direct the Principal Act, or the Principal Act and the First Amendment Act, or the Principal Act and the First and Second Amendment Acts, to come into operation in any of the colonies mentioned in the schedule to the Principal Act, or where any of such colonies has presented or shall present an address to Her Majesty, praying Her Majesty to issue such Order, then and in

\* See Vol. 10. Page 274.

† See Vol. 10. Page 862.

‡ See Vol. 11. Page 1118.

every such case such Order and such address respectively, shall apply and be construed to apply as well to this Act, and to any Act of the present session of Parliament, continuing "The West Indian Incumbered Estates Acts, 1854, 1858, 1862," as aforesaid (so far as regards the said Acts,) as to the Principal Act, or as to the Principal Act and the First Amendment Acts, or as to the Principal Act and the First and Second Amendment Acts (as the case may be).

4. Where any land shall be sold under the aforesaid Acts or any of them, the Commissioners shall have power to include in such sale all or any horses, mules, cattle, live or dead stock, plant, carts, carriages, implements, duplicate and other unfixed machinery, utensils, and other chattels and effects used or employed in or about the cultivation of such land or any part thereof, and which may be subject to any incumbrance affecting such land or any part thereof, and all or any other horses, mules, cattle, live or dead stock, plants, carts, carriages, implements, duplicate and other unfixed machinery, utensils, and other chattels and effects used or employed in or about the cultivation of such land, and the owner or part owner or any mortgagee of which shall apply for or consent to such sale, and to apply the moneys arising from the sale of such chattels and effects in the same manner in all respects as if such chattels and effects had been land sold under these Acts, or otherwise according to the rights and interests of the parties entitled thereto; and such moneys shall be subject to the payment of the same commissions or percentages and fees as they would have been subject to if they had arisen from land sold under these Acts.

5. The Commissioners shall have the same powers of appointing a receiver or receivers of any lands for the sale of which a conditional order has been made by them under these Acts, and likewise of the horses, mules, cattle, live or dead stock, plant, carts, carriages, implements, duplicate and other unfixed machinery, utensils, and other chattels and effects used or employed in or about the cultivation of such land or any part thereof, which may be subject to any incumbrance affecting such land or any part thereof, and all or any other horses, mules, cattle, live or dead stock, plant, carts, carriages, implements, duplicate and other unfixed machinery, utensils, and other chattels and effects used or employed in or about the cultivation of such land, and the owner or part owner or any mortgagee of which shall apply for or consent to the appointment of such receiver or receivers, as they have under "The West Indian Incumbered Estates Act, 1862," over any land for the sale of which an absolute order has been made by them.

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize of no intrinsic value, transmitted to or from Nova Scotia, New Brunswick, Prince Edward Island, or Newfoundland.* October 15, 1864.

[Repealed by Warrant, dated December 29, 1865.]

BRITISH TREASURY WARRANT, *regulating the Postage on Letters of Persons in the Naval Service abroad.* October 3, 1864.

[Repealed by Warrant dated August 17, 1869.]

BRITISH ORDER IN COUNCIL, *suspending, in the Island of St. Vincent, the prohibition against Foreign Reprints of British Books entitled to Copyright.* November 1, 1864.

*At the Court at Windsor, the 1st day of November, 1864.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Lord President, Earl de Grey and Ripon, Earl Russell,  
Lord Wodehouse, Mr. Secretary Cardwell.

WHEREAS by an Act passed in the session of Parliament holden in the 5th and 6th years of the reign of Her present Majesty, intituled "An Act to amend the law of Copyright,"\* it is among other things enacted, that it shall not be lawful for any person not being the proprietor of the copyright, or some person authorized by him, to import into any port in the United Kingdom, or into any other part of the British possessions, for sale or hire, any printed book first composed, or written, or printed and published in any part of the United Kingdom wherein there shall be copyright, and reprinted in any country or place whatsoever out of the British dominions: And whereas by an Act passed in the session of Parliament holden in the 8th and 9th years of the reign of Her present Majesty, intituled "An Act to regulate the trade of the British Possessions abroad,"† books, wherein the copyright is subsisting, first composed or written or printed in the United Kingdom, and printed or reprinted in any other country, are absolutely prohibited to be imported into the British possessions abroad: And whereas by an Act passed in the session of Parliament holden in the 10th and 11th years of the reign of Her present Majesty, intituled "An Act to amend the law relating to the protection in the Colonies of works entitled to copyright in the United

\* See Vol. 6. Page 478.

† See Vol. 7. Page 678.



Kingdom,"\* it is enacted, that in case the Legislature or proper legislative authorities in any British possession shall be disposed to make due provision for securing or protecting the rights of British authors in such possessions, and shall pass an Act or make an Ordinance for that purpose, and shall transmit the same in the proper manner to the Secretary of State, in order that it may be submitted to Her Majesty, and in case Her Majesty shall be of opinion that such Act or Ordinance is sufficient for the purpose of securing to British authors reasonable protection within such possession, it shall be lawful for Her Majesty, if she think fit so to do, to express her royal approval of such Act or Ordinance, and thereupon to issue an Order in Council declaring that so long as the provisions of such Act or Ordinance continue in force within such colony, the prohibitions contained in the aforesaid Acts, and hereinbefore recited, and any prohibitions contained in the said Acts, or any other Acts, against the importing, selling, letting out to hire, exposing for sale or hire, or possessing foreign reprints of books first composed, written, printed, or published in the United Kingdom, and entitled to copyright therein, shall be suspended so far as regards such colony: And whereas an Act was passed by the Governor, Council, and Assembly of Saint Vincent and its dependencies, No. 602, entitled "An Act to authorize the importation into the Government of the Island of Saint Vincent and its dependencies, of books being foreign reprints of books first composed or written, or printed or reprinted or published in the United Kingdom of Great Britain and Ireland, and in which there may be any copyright," which said Act is therein directed to be, and is, hereinafter cited as "The Copyright Act, 1852," whereby due provision was made for securing and protecting the rights of British authors in the said island, and whereas Her Majesty expressed her royal approval of the same:

And whereas Her Majesty, by and with the advice and consent of Her Privy Council, and by the authority of the said recited Act of the session of Parliament held in the 10th and 11th years of Her Majesty's reign, did, on the 18th day of August, 1852,† order that so long as the provisions of the said Act of the Legislature of the said island should remain and continue in force within the said island, all prohibitions in the said hereinbefore recited Acts of the Imperial Parliament, or in any other Acts thereof contained, against the importing into the said island, or against the selling, letting out to hire, or possessing therein foreign reprints of books first composed, written, printed, or published in the United Kingdom, and entitled to copyright therein, should be suspended so far as regarded the said island: And whereas since the making of the

\* See Vol. 8. Page 253.

† See Vol. 9. Page 391.

said Order in Council of the 18th of August, 1852, a certain other Act has been passed by the Governor, Council, and Assembly of Saint Vincent, No. 805, entitled "An Act to amend the Copyright Act, 1852," whereby due provision is made for securing and protecting the rights of British authors in the said island; and whereby it is enacted that the said Act (No. 805), and the Copyright Act, 1852, shall be read and construed together as one Act, and that the said Act (No. 805) may be cited as "The Amended Copyright Act, 1864," and that the said Act, and the said Copyright Act, 1852, may be cited together as "The Copyright Acts, 1852 and 1864;" And whereas Her Majesty has expressed her royal approval of the said "Amended Copyright Act, 1864:"

And whereas Her Majesty is of opinion that the said "Copyright Acts, 1852 and 1864," are sufficient for the purpose of securing to British authors reasonable protection within the Island of Saint Vincent:

Now, therefore, Her Majesty, by and with the advice and consent of Her Privy Council, and by the authority of the said recited Act of the session of Parliament held in the 10th and 11th years of Her Majesty's reign, doth order, and it is hereby ordered, that so long as the provisions of the said "Copyright Acts, 1852 and 1864," shall remain and continue in force within the said Island of Saint Vincent, all prohibitions in the said hereinbefore recited Acts of the Imperial Parliament, or in any other Acts thereof contained against the importing into the said island, or against the selling, letting out to hire, or possessing therein foreign reprints of books first composed, written, printed, or published in the United Kingdom, and entitled to copyright therein, shall be suspended so far as regards the said island:

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury and the Right Honourable Edward Cardwell, one of Her Majesty's Principal Secretaries of State are to give the necessary directions herein accordingly.

EDMUND HARRISON.

**BRITISH ORDER IN COUNCIL, exempting Fishing Vessels from the payment of Light Duties under certain circumstances.**  
November 1, 1864.

*At the Court at Windsor, the 1st day of November, 1864.*

**PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.**

**WHEREAS** by the "Merchant Shipping Act, 1854,"\* it is

\* See Vol. 9. Page 274.

enacted, that, "Her Majesty may, by and with the advice of Her Privy Council, from time to time reduce all or any of the dues for the time being payable in respect of existing or future lighthouses, buoys, or beacons, for the time being under the management of the General Lighthouse Authorities," therein mentioned (that is to say, the Corporation of the Trinity House of Deptford Strond, the Commissioners of Northern Lighthouses, and the Port of Dublin Corporation):

"And may also, by and with the like advice, from time to time increase or vary any of such dues, so that no dues payable in respect of any lighthouse, buoy, or beacon existing at the time when the said Act came into operation, should be made to exceed the amount which had at any period, previous to such time, been received in respect thereof, or to which the said dues might during any part of such period as last aforesaid lawfully have been raised:"

And whereas it is by the said Act further enacted, that "Tables of all Light Dues, and a copy of the Regulations for the time being in force in respect thereof, shall be posted up at all Custom-Houses within the United Kingdom, and that each of the said General Lighthouse Authorities shall from time to time, as occasion requires, furnish copies of such Tables and Regulations to the Commissioners of Customs in London, and to the principal officers of Customs resident at all places where Light Dues are collected on account of such Lighthouse Authority, and that such copies shall be posted up by the Commissioners at the Custom-House in London, and by such officers at the Custom-Houses of the places at which they are respectively resident:"

And whereas by an Order in Council of the 26th day of June, 1855,\* Her Majesty did approve of certain Consolidated Tables therein referred to of Light Duties levied by the said General Lighthouse Authorities respectively:

And whereas by various subsequent Orders in Council, Her Majesty has approved of certain variations and abatements from the Light Duties comprised in the said Tables, and also of certain new Light Duties;

And whereas it has been made to appear to Her Majesty that it is expedient to revise and amend the aforesaid Consolidated Tables of Light Duties:

And whereas new Consolidated Tables of Light Duties levied by the said General Lighthouse Authorities respectively, in the form hereunto annexed, together with certain abatements, regulations, and exemptions contained therein, have been submitted for Her Majesty's approval:

And whereas the said last-mentioned Consolidated Tables,

\* See Vol. 10. Page 324.

and the said abatements, regulations, and exemptions contained therein, appear to be proper and reasonable :

Now, therefore, Her Majesty, by virtue of the power vested in her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to approve, and doth hereby approve, the said new Tables of Light Duties, and the said abatements, regulations, and exemptions submitted as afore-said.

EDMUND HARRISON.

STATEMENT, *explanatory of the Variations and Additions which occur in the New Edition of the Consolidated Tables of Light Duties (as compared with the Tables at present in use), submitted for the approval of Her Majesty in Council, on the 1st day of November, 1864.*

[Extract from Tables.]

FISHING vessels with their ordinary fishing gear on board, exempt from Light Duties when conveying to ports fresh fish from the fishing ground.

The same exemption extended to such vessels when carrying salted fish.

PROCLAMATION of the Governor of the Province of Canada, *prohibiting the Exportation of Articles Contraband of War. Quebec, November 22, 1864.*

WHEREAS it is, in and by an Act of the Parliament of our said Province of Canada, made and passed in the 27th year of our reign, intituled "An Act to amend the Act respecting duties of Customs and the collection thereof," amongst other things in effect enacted, that our Governor in Council may, by Proclamation or Order in Council, at any time, and from time to time, prohibit the exportation, or the carrying coastwise, or by inland navigation, of the following goods :—arms, ammunition, and gunpowder, military and naval stores, and any articles which our Governor in Council shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores. And whereas our Governor in Council has deemed it expedient that the exportation and also the carrying coastwise, or by inland navigation, of arms, ammunition, and gunpowder, and military and naval stores, and any articles manufactured for the purpose of forming part of any kind or description of arms, or for the purpose of mounting the same, from our province of Canada, be prohibited. Now therefore know ye that we do by and with advice of our Executive



Council, and by this our Royal Proclamation, prohibit the exportation from our Province of Canada, or the carrying coastwise, or by inland navigation in any manner or way whatsoever, of arms, ammunition, or gunpowder, or military or naval stores, or any articles manufactured for the purpose of forming part of any kind or description of arms, or for the purpose of mounting the same. Of all which our loving subjects are to take notice, and govern themselves accordingly.

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**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Patterns or Samples of Merchandize, transmitted by post within the United Kingdom; and removing the restrictions imposed by a former Warrant dated August 17, 1864, upon Patterns or Samples of intrinsic value, transmitted within the United Kingdom.* March 20, 1865.

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[Repealed by Warrant, dated February 3, 1866.]

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**ACT of the British Parliament**, *for the Protection of Inventions and Designs exhibited at certain Industrial Exhibitions in the United Kingdom.*

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[28 Vict., cap. 3.]

[March 27, 1865.]

WHEREAS exhibitions of objects of Art and industry manufactured or contributed wholly or in part by members of the industrious classes of Her Majesty's subjects have lately been held, and may be from time to time hereafter held, in divers parts of the United Kingdom; and it is expedient to encourage such exhibitions by granting to persons desirous of exhibiting at the same new inventions or new designs such protection as is hereinafter mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the "Industrial Exhibitions Act, 1865."

2. It shall be lawful for the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, upon the application of any person desirous of holding any such exhibition as aforesaid in any part of the United Kingdom, to certify, if they shall think fit, that the exhibition so proposed to be held is in their judgment calculated to promote British

Art and industry, and to prove beneficial to the industrious classes of Her Majesty's subjects, either generally or in or near the place where such exhibition is proposed to be held; and every such certificate shall mention the place at which and the time during which such exhibition is proposed to be held; and the time mentioned in any such certificate may afterwards, if the Lords of the said Committee shall so think fit, be enlarged and extended by a further certificate, but so that the whole time allowed and certified for the holding of the same exhibition shall in no case exceed the total period of 6 months; and every such exhibition so certified, if and so long as the same shall be held at the place and within the time mentioned in any such certificate, shall be deemed to be an industrial exhibition, entitled to the benefit of this Act.

3. The exhibition of any new invention at any industrial exhibition entitled to the benefit of this Act shall not, nor shall the publication during the period of the holding of such exhibition of any description of such invention, nor shall the user of such invention for the purposes of such exhibition, and within the place where the same may be held, or elsewhere by any person using the same during the period of such exhibition, without the privity and consent of the true and first inventor thereof, prejudice the right of any person to register provisionally such invention, or invalidate any letters patent which may be granted for such invention.

4. The exhibition at any industrial exhibition entitled to the benefit of this Act of any new design capable of being registered provisionally under the "Designs Act, 1850,"\* or of any article to which such design is applied, shall not, nor shall the publication during the period of the holding of such exhibition of any description of such design, prejudice the right of any person to register, provisionally or otherwise, such design, or invalidate any provisional or other registration which may be granted for such design.

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*ACT of the British Parliament, for the Incorporation of the Territories of British Kaffraria with the Colony of the Cape of Good Hope.*

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[28 Victoria, cap. 5.]

[March 27, 1865.]

WHEREAS it is expedient that the territories of British Kaffraria (hereafter in this Act called British Kaffraria) and the colony of the Cape of Good Hope (hereafter in this Act called the Cape of Good Hope) be united for all purposes of government and legislation:

\* See Vol. 8. Page 518.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The British Kaffraria Act, 1865."

2. In this Act the term "Governor" applied to the Cape of Good Hope and to British Kaffraria respectively includes any officer for the time being lawfully administering the Government thereof.

3. If before such proclamation as next hereinafter mentioned is made the Parliament of the Cape of Good Hope makes provision for the incorporation of British Kaffraria with the Cape of Good Hope (which they are hereby empowered to do), and the Governor of the Cape of Good Hope as Governor of British Kaffraria assents to such provision by an instrument under his hand and under the seal of British Kaffraria, then from and after the date of such assent British Kaffraria shall become incorporated with the Cape of Good Hope on the terms of such provision, for all purposes whatever, as if British Kaffraria had always formed part of the Cape of Good Hope.

4. The Governor of the Cape of Good Hope, if he thinks fit, may at any time before he has given such assent declare, by Proclamation in the Government Gazette of the colony, that the subsequent provisions of this Act shall take effect, and those provisions shall accordingly take effect from the date of such Proclamation; but if such Proclamation is not made, then this Act shall operate as if the subsequent provisions of this Act, or any of them, had not been inserted in this Act.

5. Four members shall be added to the number of the Members of the House of Assembly of the Cape of Good Hope (to which members so added the term "additional Members of the House of Assembly" when hereafter used in this Act refers).

6. British Kaffraria shall be divided into two parts, which shall be electoral divisions within the meaning and for the purposes of the ordinance constituting a Parliament for the Cape of Good Hope (hereafter in this Act called the Constitution Ordinance), in like manner and with the like effect in all respects (subject to the other provisions of this Act) as if those electoral divisions had been expressly constituted and named as such in that Ordinance.

7. Two of the additional Members of the House of Assembly shall be elected for each electoral division of British Kaffraria, and the additional members shall hold their seats in the House of Assembly for the same period and subject to the same conditions as if they had been elected under the provisions of the Constitution Ordinance.

8. In relation to the first election of additional members of

the House of Assembly the Governor of British Kaffraria shall have all such powers and authorities as the Governor of the Cape of Good Hope has in relation to the election of Members of the House of Assembly under the Constitution ordinance.

9. With respect to the election of Members of the Legislative Council of the Cape of Good Hope, the two electoral divisions of British Kaffraria shall be comprised in and form part of the eastern districts, within the meaning and for the purposes of the Constitution Ordinance, in like manner and with the like effect in all respects (subject to the other provisions of this Act) as if those electoral divisions had been expressly constituted part of the Eastern Districts in that Ordinance.

10. For the purposes of the voting in British Kaffraria for Members of the Legislative Council, and of the electing of the additional Members of the House of Assembly, the Governor of British Kaffraria shall make such Ordinances and issue such Proclamations as seem to him necessary or proper for defining and naming the two electoral divisions of British Kaffraria, and for regulating the registration of voters therein, and for appointing returning officers, and fixing the times and places of voting and election, and generally for regulating the conduct of such voting and electing; but no such Ordinance or Proclamation shall alter the qualification of the electors or elected as declared by the Constitution Ordinance; and, subject to such Ordinances and Proclamations, the voting in British Kaffraria for Members of the Legislative Council, and the electing of the additional Members of the House of Assembly, shall be conducted in like manner as if they were voted for and elected under the provisions of the Constitution Ordinance.

11. Nothing in this Act shall prevent the Parliament of the Cape of Good Hope from altering in any respect the Constitution Ordinance, or from making such provision as to them from time to time seems fit respecting any matter regulated by any of the foregoing provisions of this Act.

12. On the first election of the additional Members of the House of Assembly being completed, the Governor of the Cape of Good Hope shall, by Proclamation in the Government Gazette of the colony, declare their names and the fact of their election, and from and after the date of such Proclamation British Kaffraria shall become incorporated with the Cape of Good Hope on the terms of this Act, for all purposes whatever, as if British Kaffraria had always formed part of the Cape of Good Hope.

13. Until the incorporation of British Kaffraria with the Cape of Good Hope in consequence of such Proclamation (hereafter in this Act called the Incorporation) takes effect, all powers and authorities vested in or exercised by the Governor of British Kaffraria shall remain as if this Act had not been



passed, and on the incorporation those powers and authorities shall absolutely cease.

14. Until the Parliament of the Cape of Good Hope otherwise provides, all laws and customs which at the time of the incorporation are in force in British Kaffraria shall continue in force there after the incorporation.

15. Until the Parliament of the Cape of Good Hope otherwise provides, the jurisdiction and authority of the Supreme Court of the Cape of Good Hope and of the court of the Eastern Districts thereof shall from and after the incorporation extend to British Kaffraria, as if British Kaffraria had always formed part of the Cape of Good Hope, and were comprised in the eastern districts thereof; and nothing in this Act shall discontinue or otherwise interfere with any suit or proceeding, civil or criminal, pending at the time of the incorporation in the Supreme Court of British Kaffraria, save only that on the incorporation all such suits and proceedings shall, by virtue of this Act, stand transferred to the Court of the Eastern Districts of the Cape of Good Hope, and the same may be carried on, tried, heard, and determined in and by that court, and an appeal shall lie therein from that court, in like manner as nearly as may be in all respects as if they had been instituted or taken in that court after the incorporation; nor shall anything in this Act discontinue or otherwise interfere with any appeal from the Supreme Court of British Kaffraria pending at the time of the incorporation, and the same may be prosecuted, heard, and determined, and any judgment, decree, or order therein may be made, executed, and enforced, in like manner as nearly as may be in all respects as if this Act had not been passed, save only that in relation to any such appeal, judgment, decree, or order, the Court of the Eastern Districts of the Cape of Good Hope shall be substituted for the Supreme Court of British Kaffraria.

16. Until the Parliament of the Cape of Good Hope otherwise provides, all Ordinances and Proclamations made and issued by the Governor of British Kaffraria in pursuance of this Act relative to the voting in British Kaffraria for Members of the Legislative Council, or to the electing of the additional Members of the House of Assembly, shall continue in force after the incorporation.

17. Until the Parliament of the Cape of Good Hope otherwise provides, there shall, from and after the incorporation, be payable every year to Her Majesty, out of the revenue accruing within British Kaffraria after the incorporation, the sum of 18,225*l.*, for defraying the expenses of the several services described in the schedule to this Act; and that sum shall be issued by the Treasurer of the Cape of Good Hope in discharge of such Warrant or Warrants as may be from time to time

directed to him under the hand and seal of the Governor of the Cape of Good Hope.

18. Subject to the last foregoing provision, all revenue accruing within British Kaffraria after the incorporation shall be taken to be part of the revenue of the Cape of Good Hope; and all money at that time due on account of British Kaffraria shall thenceforth be deemed to be due on account of the Cape of Good Hope.

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Salary of the Governor as High Commissioner .. .. .	£1,000
Other civil services, including compensations for loss of office consequent on the incorporation awarded with the approval of one of Her Majesty's Principal Secretaries of State .. ..	17,225
	<hr/>
	£18,225

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*ACT of the British Parliament, for the Protection of Inventions and Designs exhibited at the Dublin International Exhibition for the year 1865.*

[28 Victoria, cap. 6.]

[Spent.]

[March 27, 1865.]

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**BRITISH PROCLAMATION**, *directing a new Distribution of the Proceeds of Naval Prizes of War, of Customs, Piratical and Slave Trade Seizures, and of Awards to the Navy for Salvage.*  
June 29, 1865.

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By the QUEEN.—A PROCLAMATION.

VICTORIA R.

WHEREAS by our Order in Council of this day's date, we were graciously pleased to annul, from and after the 30th day of September next, our Royal Proclamation of the 29th day of December, 1853,\* regulating, according to the scheme set forth therein or recognized thereby, the distribution of the net proceeds of prizes captured from the enemy, of captures and seizures under the several Acts of Parliament passed relating to the revenues of customs, and to trade and navigation, for the abolition of the Slave Trade, for the capture and destruction of pirates and piratical vessels, and of the rewards conferred for the

\* See Vol. 9. Page 486.

same; as also of the awards for all salvage granted to the crews of our ships and vessels of war, when not otherwise specially apportioned by the terms of the respective awards and allowances; and, in consequence of several new ratings and denominations, and certain alterations having been introduced and made in our Royal Naval Service since the date of our said former Proclamation, and for other causes, it is expedient that provision should be made for the future distribution of such net proceeds and salvage not otherwise specially apportioned, and all other moneys whatsoever granted to be shared among the officers and crews of our ships and vessels in the manner of prize money.

We do, therefore, now make known to all our loving subjects, and to all others whom it may concern, by this our Proclamation, by and with the advice and consent of our Privy Council, that our Royal will and pleasure is, and we do hereby direct, that ships or vessels being in sight of a prize, as also of the captor, under circumstances to cause intimidation to the prize and encouragement to the captor, shall be alone entitled to share as joint captors, and that the distribution of all such net proceeds of prizes, rewards, allowances, salvage awards, and of all bounties and grants whatsoever distributable to our Royal Navy, in the manner of prize money, shall be made as follows, viz.:

That the flag officer or officers shall have  $\frac{1}{20}$ th part of the whole net proceeds arising from prizes captured from the enemy, and from all other captures and seizures, &c., as aforesaid, made by any of the ships or vessels under his or their command, and of the rewards conferred for the same, according to the following conditions and modifications, save and except as hereinafter provided and directed; that is to say:

When there is but one flag officer, he shall have the entire one-twentieth part; when two flag officers shall be sharing together, the chief shall have two-thirds, and the other flag officer shall have the remaining one-third of the one-twentieth part; and when there shall be more than two flag officers, the chief shall have one-half of the said one-twentieth part, and the remaining half shall be equally divided among the junior flag officers, commodores of the first class, and captains of the fleet to share as flag officers: Provided always, that no flag officer, unless actually on board any of our ships or vessels of war, and at the actual taking, sinking, burning, or otherwise destroying any ship or ships of war, privateer or privateers, belonging to the enemy, shall share in the distribution of any head money or bounty money granted as a reward for the taking, sinking, burning, or otherwise destroying any such ship or vessel of the enemy.

That no flag officer, unless actually present at the capture or destruction of any pirates or piratical ship, vessel, or boat,

shall share in any distribution of the proceeds or bounty in respect of such pirates, or of the crews of such piratical ship, vessel, or boat.

That no flag officer shall share in any remuneration or reward conferred or awarded to the crew of any of our ships or vessels as salvage, unless he shall have been actually on board the ship or vessel to which the award shall be made, or have personally aided and assisted in the transaction at the time the service was rendered.

That no flag officer commanding in any port in the United Kingdom shall share in the proceeds of any prize captured from the enemy, or in other captures, seizures, rewards, or any distributive proceeds as aforesaid, made by any ships or vessels which shall sail from or leave such port by order of the Lord High Admiral, or of our Commissioners for executing the office of Lord High Admiral.

That when ships or vessels under the command of several flag officers belonging to several stations shall be joint captors, &c., each flag officer shall receive a proportion of the one-twentieth part, according to the number of officers and men present under the command of each such flag officer; and when ships or vessels under orders from the Lord High Admiral, or from our Commissioners for executing the office of Lord High Admiral, are joint captors, &c., with other ships or vessels under a flag or flags, the like regulations as to the apportionment of the flag share to the flag officer or officers are to be observed.

With reference to flag officers it is to be noted:

That when an inferior flag officer is sent to reinforce a superior officer on any station, the superior flag officer shall not share in any prize taken by the inferior flag officer before he has arrived within the limits of that station, unless the inferior officer shall have received some order directly from, and shall be acting in execution of some order issued by such superior flag officer.

No chief flag officer quitting any station, except upon some definite urgent service, and with the intention of returning to the station as soon as such service is performed, shall share in any prize taken by our ships or vessels left behind after he has passed the limits of the station, or after he has surrendered the command to another flag officer appointed by the Admiralty to command in chief upon such station.

An inferior flag officer quitting any station (except when detached by orders from his commander-in-chief upon a special service, accompanied with orders to return to such station as soon as the service has been performed), shall have no share in prizes taken by the ships and vessels remaining on the station after he has passed the limits thereof.

In like manner flag officers remaining on such station shall



not share in the prizes taken by such inferior officer, or by ships or vessels under his immediate command, after he has quitted the limits of the station, except he has been detached as aforesaid.

A commander-in-chief or other flag officer belonging to any station, shall not share in any prize or prizes taken out of the limits of that station by any ship or vessel under the command of a flag officer of any other station, or under orders from our Commissioners of the Admiralty, unless such commander-in-chief or flag officer is expressly authorized by our said Commissioners to take the command of that station in which the prize or prizes is or are taken, and shall actually have taken upon him such command.

Every commodore having a captain under him, shall be esteemed a flag officer with respect to the twentieth part of prizes taken, whether he be commanding-in-chief or serving under command.

The first captain to the admiral and commander-in-chief of our fleet, and also the first captain to any flag officer appointed to command a fleet of 10 ships of the line or upwards, shall be deemed to be a flag officer for the purpose of sharing in prize, and shall be entitled to share therein as the junior flag officer of such fleet.

Any officer on board any of our ships of war at the time of capturing any prize or prizes who shall have more commissions than one, shall be entitled only to share in such prize or prizes according to the share allotted to him by the above-mentioned distribution in respect to his superior commission or office.

And with reference to these regulations it is to be noted, that a captain, commander, or other commanding officer of a ship or vessel shall be deemed to be under the command of a flag when he shall actually have received some order from, or be acting in the execution of some order issued by a flag officer, whether he be or be not within the limits of the station of such flag officer; and in the event of his being directed to join a flag officer on any station, he shall be deemed to be under the command of such flag officer from the time when he arrives within the limits of the station, which circumstance is always to be carefully noted in the log book; and it shall be considered that he continues under the flag officer of such station until he shall have received some order directly from, or be acting in the execution of some order issued by, some other flag officer, duly authorized, or by the Lord High Admiral, or our Commissioners for executing the office of Lord High Admiral.

And we hereby direct that the captain, commander, lieutenant commanding, staff commander commanding, master commanding, or any other officer duly commanding any ship, sloop, or vessel of war, singly making a capture or seizure, or

otherwise entitled to the distributive benefit arising from any proceeds, reward, grant, bounty, salvage, or other award as aforesaid, that is to say, the officer actually in command at the time, shall have one-eighth of the remainder, or if there is no flag, one-eighth of the entire net proceeds, except that if the single capturing ship be a rated ship having a commander under the captain, the commander shall take a portion of the one-eighth part, as if he were commander of a sloop according to the proportion hereinafter set forth; and if more than one commanding officer of the same rank of command, shall be entitled to share as joint captors, &c., the one-eighth shall be equally divided between them; but when captains, commanders, lieutenants commanding, staff commanders commanding, and masters commanding, respectively, our ships and vessels of war, and commanders under captains in rated ships, shall share together in whatever variety of combination, the one-eighth shall be so divided into parts for a graduated apportionment as to provide for each captain receiving 6 parts; each commander of a sloop, or commander under the captain in a rated ship, 3 parts; and each lieutenant commanding, staff commander commanding, or master commanding, or other officer actually commanding a small vessel of war, 2 parts; which we hereby direct shall be the proportion in which they shall respectively share; commodores of the second class and field officers of marines, or of land forces serving as marines doing duty as field officers, above the rank of major, to share as captains, and field officers of marines, or of land forces serving as marines, and doing duty in the rank of major, to share as commanders of sloops. And we further direct, that after provision shall thus have been made for the flag share (if any), and for the portion of the commanding officer or officers and others as above specified, the remainder of the net proceeds shall be distributed in 10 classes, so that each officer, man, and boy composing the rest of the complements of our ships, sloops, and vessels of war, and actually on board at the time of any such capture, seizure, &c., as aforesaid, and every person present and assisting shall receive shares, or a share, according to his class, as set forth in the following scale:

First Class:—Staff captain, inspector of steam machinery afloat, when embarked with a fleet, inspector-general, or deputy inspector-general of hospitals and fleets, when embarked with a fleet: 45 shares each.

Second Class.—Senior Lieutenant of a rated ship, not bearing a commander under the captain, secretary to the admiral of the fleet, or admiral commanding-in-chief, staff commander: —35 shares each.

Third Class.—Sea lieutenant, master, captain of marines, of marine artillery, or of land forces doing duty as marines, whether having higher brevet rank or not, staff-surgeon, secre-

tary to an admiral or to a commodore of the first class, not commanding-in-chief, chief engineer:—28 shares each.

Fourth Class.—Lieutenant or quartermaster of marines, lieutenant of marine artillery, lieutenant, quartermaster or ensign of land forces doing duty as marines, secretary to a commodore of the second class, chaplain, surgeon, paymaster, naval instructor, sub-lieutenant, chief gunner, chief boatswain, chief carpenter, assistant surgeon, second master, assistant paymaster in charge, assistant paymaster, engineer, assistant engineer, gunner, boatswain, carpenter: 18 shares each.

Fifth Class.—Midshipman, master's assistant, pilot, clerk, master-at-arms, chief gunner's mate, chief boatswain's mate, chief captain of the forecastle, admiral's coxswain, chief quartermaster, chief yeoman of the signals, chief carpenter's mate, naval schoolmaster, chief stoker, ship's steward, ship's cook, chief bandmaster: 10 shares each.

Sixth Class.—Naval cadet, assistant clerk, ship's corporal, gunner's mate, boatswain's mate, captain's coxswain, captain of the forecastle, quartermaster, yeoman of the signals, coxswain of the launch, captain of the foretop, captain of the afterguard, captain of the hold, sailmaker, ropemaker, carpenter's mate, caulker, blacksmith, armourer, plumber, painter first class, leading stoker, sick berth steward, bandmaster, serjeant of marines, of marine artillery, or of land forces doing duty as marines: 9 shares each.

Seventh Class.—Coxswain of the barge, coxswain of the pinnace, captain of the mast, second captain of the forecastle, second captain of the maintop, second captain of the foretop, signalman, second captain of the afterguard, captain of the mizentop, sailmaker's mate, coxswain of the cutter, cooper, caulker's mate, painter second class, sick berth attendant, musician, head krooman, corporal of marines or of land forces doing duty as marines, bombardier of marine artillery: 6 shares each.

Eighth Class.—Leading seaman, shipwright, stoker, and coal trimmer, yeoman of store rooms, second captain of the hold, sailmaker's crew, blacksmith's crew, tinsmith, armourer's crew, carpenter's crew, stoker second class, cooper's crew, able seaman, bandsman, tailor, shoemaker, butcher, second head kroomen, lamp trimmer, flag officer's steward, cook and domestic, captain's steward and captain's cook in all rated ships, ward-room steward and ward-room cook in first, second, third, and fourth rates, ship's steward's assistant, ordinary seaman, private and fifer of marines or of land forces doing duty as marines, drummer and bugler, gunner of marine artillery: 3 shares each.

Ninth Class.—Captain's steward and captain's cooks in vessels below sixth rates, ward-room steward and ward-room cook

in vessels below fourth rates, gun-room steward, gun-room cook, assistant sick-berth attendant, engineer's cook, engineer's servant, captain's servant, commander's servant, secretary's servant, warrant officer's cook, cook's mate, barber, second class ordinary seaman, captain's cook's assistant, ward-room servant, ward-room cook's assistant, ward-room officer's servant, gun-room servant, warrant-officer's servant, krooman, ship's steward's boy, boy first class, supernumeraries, except as hereinafter provided, persons borne merely as passengers, and not declining to render assistance on any occasion of capture, of seizure, &c.: 2 shares each.

Tenth Class.—Boy below the first class: 1 share.

. All supernumeraries holding ranks in the service above the ranks or ratings specified in the fifth class of this our Proclamation, who have been ordered to do duty in any of our ships and vessels by the Lord High Admiral, by our Commissioners for executing the office of Lord High Admiral, by the senior officer of the fleet or squadron, or if none senior, then by the captain or commanding officer of the capturing ship or vessel, if not by special authority employed in higher capacities, shall share according to the ranks which they respectively hold in the service; but in all cases, to qualify himself for so sharing, and not merely as supernumeraries in the 9th class, due notation of their being thus respectively ordered to do duty, must be made on the victualling lists and prize lists.

And with respect to supernumeraries of ratings in the service below the denominations of those specified in the 4th class of this our Proclamation, and who at full victuals are engaged in the ordinary duties of the ship, it is our will and pleasure that they shall always share according to the ratings which they bear in the service.

And in order that our Royal intentions herein may be duly carried into effect, we further direct that when any capture or seizure is made, or service performed, for which a distributable grant or reward is to be, or is expected to be, conferred or awarded to any of our ships or vessels of war, the captain or commanding officer shall transmit or cause to be transmitted, as soon as may be, to the Secretary of the Admiralty, a true and perfect list of all the officers, seamen, marines, soldiers, and others who were actually on board on the occasion, with a notation thereon, stating whether any other of Her Majesty's ships or vessels was in sight at the time of the capture, accompanied by a separate list containing the names of those belonging to the crew who were absent on duty or otherwise at the time, specifying the cause of such absence; each list to contain the quality of the service of each person, with their several ratings, to be subscribed by the captain or commanding officer, and 3 or more of the chief officers on board.



And when a list of those actually on board, with the separate list of persons absent, though belonging to the ship or vessel, shall have been verified on examination with the ship's books lodged as official records, the Accountant-General of our Navy shall grant a certificate that such lists are correct or have been corrected, as occasion may require, in order that distribution of the respective prize or other proceeds, payable as prize or salvage money, may be duly made in the Department of the Accountant-General of our Navy.

And in the event of difficulty arising with respect to any of the regulations hereby ordered, or if any case should occur not herein provided for, or not sufficiently provided for, we are pleased hereby to authorize the Lord High Admiral, or our Commissioners for executing the office of Lord High Admiral for the time being, to issue such directions thereupon as may appear just and expedient; which directions shall have the same force and effect as if specially provided for in this our Royal Proclamation: Provided always, and the distribution hereinbefore ordered shall take effect only with respect to the proceeds of captures, seizures, and services as aforesaid, which shall be made and performed on and after the 1st day of October, 1865; and that the proceeds arising from all captures, seizures, and services as aforesaid, made or performed prior to that date, shall be distributed in accordance with any Proclamation or Proclamations now in force or in force at the time of such captures, seizures, or services respectively, and applicable thereto, which we are pleased hereby to direct accordingly.

Given at our Court at Windsor, this 29th day of June, in the year of our Lord 1865, and in the 29th year of our reign.

God save the Queen.

*ACT of the British Parliament, for confirming a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862,"\* relating to the Pilotage of the River Tyne.*

[28 Victoria, cap. 44.]

[June 19, 1865.]

WHEREAS a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," does not take effect unless and until it is confirmed by Act of Parliament: And whereas the Board of Trade have made a Provisional Order for constituting Pilotage Commissioners for the River Tyne, and for regulating their jurisdiction: And whereas such Order has been amended by Parliament, and is, as so amended, set out in the schedule hereto: And whereas

\* See Vol. 11. Page 328.

it is expedient that the said Order, so set out in the schedule hereto, should be confirmed by Act of Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Order set out in the schedule hereto shall be and is hereby confirmed, and all the provisions thereof, in manner and form as they are set out in the said schedule, shall from and after the passing of this Act take effect and have full validity and force.

2. This Act may be cited as "The (Tyne) Pilotage Order Confirmation Act, 1865."

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EXTRACT FROM SCHEDULE.\*

*Amended Order referred to and confirmed by the foregoing Act.*

10. The pilotage district of the Tyne shall, for the purposes of this Order, be deemed to include the whole of the river Tyne, and to extend seaward over a radius of 7 miles.

11. The jurisdiction in pilotage matters within the district aforesaid now vested in the Trinity House of Newcastle-upon-Tyne shall be and is hereby transferred to and vested in the Commissioners incorporated by this Order.

15. The following pilotage rates shall be paid, namely,—

From and including the 1st day of April to the 1st day of October in each year, 1s. and 3d. for every foot of water which any ship or vessel shall draw, and from and including the 1st day of October to the 1st day of April in each year, 1s. 6d. for every such foot of water;

And such pilotage dues shall be paid to the Commissioners or to the pilot performing such pilotage duty within 5 days after the performance thereof; provided that the Commissioners may from time to time increase or diminish the said pilotage dues, subject to the approval of the Board of Trade.

16. Nothing in this Order shall extend to oblige the owner or master of any vessel to employ or make use of any pilot in piloting or conducting such vessel into or out of the said district or within any part thereof, if he is not desirous so to do, or to pay any pilotage dues when not employing or making use of a pilot.

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\* Sections 5, 6, 7, and 8 amended by Act 30 & 31 Vict., cap. 78. Page 1106.

*ACT of the British Parliament, for confirming, with Amendments, a Provisional Order made by the Board of Trade under "the Merchant Shipping Act Amendment Act, 1862,"\* relating to the Pilotage of the Port of Sunderland.*

[28 & 29 Victoria, cap. 59.]

[June 29, 1865.]

WHEREAS a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," does not take effect unless and until it is confirmed by Act of Parliament:

And whereas the Board of Trade have made a Provisional Order with regard to the Port of Sunderland:

And whereas such Order has been amended by Parliament, and is as so amended set out in the schedule hereto:

And whereas it is expedient that the said Order so set out in the schedule hereto should be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Order set out in the schedule hereto shall be and is hereby confirmed, and all the provisions thereof, in manner and form as they are set out in the said schedule, shall from and after the passing of this Act take effect and have full validity and force.

2. This Act may be cited as "The (Sunderland) Pilotage Order Confirmation Act, 1865."

#### EXTRACT FROM SCHEDULE.

SUNDERLAND.—*Amended Order referred to and confirmed by the foregoing Act.*

##### *Limits of District.*

8. The pilotage district of the port, for the purposes of this Order, shall be deemed to extend from the promontory or point called Souter Point about two miles on the north side to Ryhope Dene about 2 miles on the south side of the Harbour of Sunderland.

9. The jurisdiction in pilotage matters within the district aforesaid now vested in the Trinity House of Newcastle-upon-Tyne shall be and is hereby transferred to and vested in the Commissioners incorporated by this Order.

13. The following pilotage dues shall be paid, namely:

(1.) For every vessel piloted and conducted into or out of the port of Sunderland between the 31st day of March, and the

\* See Vol. 11. Page 328.

1st day of October in each year, at the rate of 1s. 3d. for every foot of water which such vessel draws :

(2.) For every vessel so piloted and conducted between the 30th of September in any year and the 1st of April in the following year, at the rate of 1s. 6d. for each such foot :

(3.) Subject to the approval of the Board of Trade, the Commissioners may raise the pilotage dues payable inwards for vessels above 500 tons register, in addition to the dues aforesaid, by any sum not exceeding one-half penny per ton on the excess of register tonnage over and above the number of tons, and may subject the payment of such additional dues to such regulations as in their judgment will more effectually secure the boarding of such vessels before they arrive within 6 miles of the port :

(4.) The pilotage dues shall be paid to the Commissioners or to the pilot performing such pilotage duty within 5 days after the performance thereof :

(5.) Subject to the foregoing provisions, the Commissioners may from time to time increase or diminish the said pilotage dues, subject to the approval of the Board of Trade.

14. Nothing in this Order shall extend to oblige the owner or master of any vessel to employ or make use of any pilot in piloting or conducting such vessel into or out of the said port, if he is not desirous so to do, or to pay any pilotage dues when not employing or making use of a pilot.

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*ACT of the British Parliament, to remove doubts as to the Validity of Colonial Laws.*

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[28 & 29 Victoria, cap. 63.]

[June 29, 1865.]

WHEREAS doubts have been entertained respecting the validity of divers laws enacted or purporting to have been enacted by the legislatures of certain of Her Majesty's colonies, and respecting the powers of such legislatures, and it is expedient that such doubts should be removed :

Be it hereby enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. The term "colony" shall in this Act include all of Her Majesty's possessions abroad in which there shall exist a legislature, as hereinafter defined, except the Channel Islands, the Isle of Man, and such territories as may for the time being be vested in Her Majesty under or by virtue of any Act of Parliament for the Government of India :

The terms "legislature" and "colonial legislature" shall



severally signify the authority, other than the Imperial Parliament or Her Majesty in Council, competent to make laws for any colony :

The term "representative legislature" shall signify any colonial legislature which shall comprise a legislative body of which one-half are elected by inhabitants of the colony :

The term "colonial law" shall include laws made for any colony either by such legislature as aforesaid or by Her Majesty in Council :

An Act of Parliament, or any provision thereof, shall, in construing this Act, be said to extend to any colony when it is made applicable to such colony by the express words or necessary intendment of any Act of Parliament :

The term "Governor" shall mean the officer lawfully administering the Government of any colony :

The term "Letters Patent" shall mean Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland.

2. Any colonial law which is or shall be in any respect repugnant to the provisions of any Act of Parliament extending to the colony to which such law may relate, or repugnant to any Order or Regulation made under authority of such Act of Parliament, or having in the colony the force and effect of such Act, shall be read subject to such Act, Order, or Regulation, and shall, to the extent of such repugnancy, but not otherwise, be and remain absolutely void and inoperative.

3. No colonial law shall be or be deemed to have been void or inoperative on the ground of repugnancy to the law of England, unless the same shall be repugnant to the provisions of some such Act of Parliament, Order, or Regulation as aforesaid.

4. No colonial law, passed with the concurrence of or assented to by the Governor of any colony, or to be hereafter so passed or assented to, shall be or be deemed to have been void or inoperative by reason only of any instructions with reference to such law or the subject thereof which may have been given to such Governor by or on behalf of Her Majesty, by any instrument other than the Letters Patent or instrument authorizing such Governor to concur in passing or to assent to laws for the peace, order, and good government of such colony, even though such instructions may be referred to in such Letters Patent or last-mentioned instrument.

5. Every colonial legislature shall have, and be deemed at all times to have had, full power within its jurisdiction to establish courts of judicature, and to abolish and reconstitute the same, and to alter the constitution thereof, and to make provision for the administration of justice therein ; and every representative legislature shall, in respect to the colony under

its jurisdiction, have, and be deemed at all times to have had, full power to make laws respecting the constitution, powers, and procedure of such legislature; provided that such laws shall have been passed in such manner and form as may from time to time be required by any Act of Parliament, Letters Patent, Order in Council, or colonial law for the time being in force in the said colony.

6 The certificate of the clerk or other proper officer of a legislative body in any colony to the effect that the document to which it is attached is a true copy of any colonial law assented to by the Governor of such colony, or of any Bill reserved for the signification of Her Majesty's pleasure by the said Governor, shall be *primâ facie* evidence that the document so certified is a true copy of such law or Bill, and, as the case may be, that such law has been duly and properly passed and assented to, or that such Bill has been duly and properly passed and presented to the Governor; and any Proclamation purporting to be published by authority of the Governor in any newspaper in the colony to which such law or Bill shall relate, and signifying Her Majesty's disallowance of any such colonial law, or Her Majesty's assent to any such reserved Bill as aforesaid, shall be *primâ facie* evidence of such disallowance or assent.

And whereas doubts are entertained respecting the validity of certain Acts enacted or reputed to be enacted by the legislature of South Australia: Be it further enacted as follows:

7. All laws or reputed laws enacted or purporting to have been enacted by the said legislature, or by persons or bodies of persons for the time being acting as such legislature, which have received the assent of Her Majesty in Council, or which have received the assent of the Governor of the said colony in the name and on behalf of Her Majesty, shall be and be deemed to have been valid and effectual from the date of such assent for all purposes whatever, provided that nothing herein contained shall be deemed to give effect to any law or reputed law which has been disallowed by Her Majesty, or has expired, or has been lawfully repealed, or to prevent the lawful disallowance or repeal of any law.

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ACT of the British Parliament, to remove doubts respecting the  
Validity of certain Marriages contracted in Her Majesty's Possessions abroad.

[28 & 29 Victoria, cap. 64.]

[June 29, 1865.]

WHEREAS laws have from time to time been made by the legislatures of divers of Her Majesty's possessions abroad for the purpose of establishing the validity of certain marriages previously contracted therein, but doubts are entertained whether such laws are in all respects effectual for the aforesaid

purpose beyond the limits of such possessions: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Every law made or to be made by the legislature of any such possession as aforesaid for the purpose of establishing the validity of any marriage or marriages contracted in such possession shall have and be deemed to have had from the date of the making of such law the same force and effect for the purpose aforesaid within all parts of Her Majesty's dominions as such law may have had or may hereafter have within the possession for which the same was made: Provided that nothing in this law contained shall give any effect or validity to any marriage unless at the time of such marriage both of the parties thereto were, according to the law of England, competent to contract the same.

2. In this Act the word "legislature" shall include any authority competent to make laws for any of Her Majesty's possessions abroad, except the Parliament of the United Kingdom and Her Majesty in Council.

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*ACT of the British Parliament, to amend the Law relating to the Duties on Sugar, and the Drawbacks on those Duties; with reference to the Convention concluded between Her Majesty, the King of the Belgians, the Emperor of the French, and the King of the Netherlands, on the 8th November, 1864.*

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[28 & 29 Victoria, cap. 95.]

[July 5, 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by authority of the same, as follows:

1. That on and after the 1st of September, 1865, provided that the ratifications of a Convention between Her Majesty, the King of the Belgians, the Emperor of the French, and the King of the Netherlands, for regulating the drawbacks on sugar, which was signed at Paris on the 8th day of November, 1864,\* shall then have been exchanged.

In lieu of the duties of Customs now charged on the under-mentioned Articles, the following duties of Customs shall be charged thereon, on importation into Great Britain or Ireland; (that is to say,)

Cane juice, the cwt.	..	..	£0 8s. 2d.
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\* See page 199.

2. That from and after the day on which the ratifications of a Convention between Her Majesty, the King of the Belgians, the Emperor of the French, and the King of the Netherlands, for regulating the drawbacks on sugar, which was signed at Paris on the 8th day of November, 1864, shall be exchanged,

In lieu of the drawbacks of 12s. 10d. now allowed on certain descriptions of refined sugar, the following drawbacks shall be paid and allowed on the under-mentioned descriptions of refined sugar on the exportation thereof to foreign parts, or on removal to the Isle of Man for consumption there, or on deposit in any approved warehouse, upon such terms and subject to such regulations as the Commissioners of Customs may direct, for delivery from such warehouse as ship's stores only or for the purpose of sweetening British spirits in bond; (that is to say,)

Upon sugar refined in Great Britain or Ireland, in loaf complete and whole, or lumps duly refined, having been perfectly clarified and thoroughly dried in the stove, and being of an uniform whiteness throughout; and upon such sugar pounded, crushed, or broken in a warehouse approved by the Commissioners of Customs, such sugar having been first inspected by the officers of Customs in lumps or loaves, as if for immediate shipment, and then packed for exportation in the presence of such officers, and at the expense of the exporters; and upon Candy:

For every cwt. . . . . £0 12s. 4d.

Upon sugar refined in Great Britain or Ireland by the centrifugal or any other process, and not in any way inferior to the export standard No. 3, approved by the Lords of the Treasury:

For every cwt. . . . . £0 12s. 4d.

Provided, that if refined sugar, not being in any way inferior to No. 1 standard export sample approved by the Lords of the Treasury, be not thoroughly dried in the stove, but shall be found to contain moisture not exceeding 5 per centum over and above what the same would contain if thoroughly dried in the stove, then the above drawback shall be allowed thereon, subject to a deduction in respect of such moisture of 5 per centum, in lieu of any other drawback now allowed thereon.

*ACT of the British Parliament, to authorize the Payment of Retiring Pensions to Colonial Governors.*

[28 & 29 Victoria, cap 113.]

[July 5, 1865.]

WHEREAS it is expedient that retiring pensions should be granted in certain cases to officers who have administered the Government of Her Majesty's colonial possessions: Be it enacted by the Queen's most Excellent Majesty, by and with the



advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. In this Act the term "colony" includes any plantation, island, or other possession within Her Majesty's dominions, exclusive of the United Kingdom of Great Britain and Ireland, and of the islands being immediate dependencies thereof, and exclusive of India as defined by the Act of Parliament of 1858 "for the better Government of India."

2. The full rate of pension hereinafter referred to shall be as follows, that is to say :

In the case of officers who shall for at least 4 years have administered the Government of any colony or colonies in which the salary of the Governor is not less than 5,000*l.*, 1,000*l.*

In the case of officers who shall for at least 4 years have administered the Government of any colony or colonies in which the salary of the Governor is not less than 2,500*l.*, 750*l.*

In the case of officers who shall for at least 4 years have administered the Government of any colony or colonies in which the salary of the Governor is not less than 1,200*l.*, 500*l.*

In other cases, 250*l.*

3. The reduced rate of pension hereinafter referred to shall in all cases be two-thirds of the full rate.

4. One of Her Majesty's Principal Secretaries of State may, by writing under his hand, grant the full rate of pension to any person who, being of the age of 60, shall have administered the Government of any colony or colonies for periods amounting in the whole to 18 years, or who, being of the age aforesaid, shall have administered such Government or Governments for periods amounting in the whole to 10 years, and shall have been employed in the whole either in such administration or in the permanent Civil Service of Her Majesty, for periods amounting in the whole to 25 years, or to any person who, having administered such Government or Governments for periods amounting in the whole to 15 years, shall have established, to the satisfaction of such Secretary of State, that he is incapable, from infirmity of mind or body contracted while administering his Government, of discharging the duties of any office in the Public Service, and that such infirmity is likely to be permanent.

5. Such Secretary of State may, by such writing as aforesaid, grant the reduced rate of pension to any person being of the age of 60, who, after having attained the age of 40, shall have administered the Government of any colony or colonies for periods amounting in the whole to 12 years, or to any person being of the age of 60, who, after having attained the

age of 40, shall have administered such Government or Governments for periods amounting in the whole to 8 years, and shall have been employed in the whole, either in such administration or in the permanent Civil Service of Her Majesty, for periods amounting in the whole to 20 years, or to any person who, having administered such Government or Governments for periods amounting in the whole to 10 years, shall have established to the satisfaction of such Secretary of State that he is incapable, from infirmity of mind or body contracted while administering his Government, of discharging the duties of any office in the public service, and that such infirmity is likely to be permanent.

6. No person whose claim to a pension under the provisions of this Act is founded in part upon his employment in the permanent Civil Service of Her Majesty shall be entitled to claim a Superannuation Allowance, in respect of the same employment, under the provisions of any other Act of Parliament.

7. In case any person to whom a pension shall have been granted under the provisions of this Act shall be or become entitled to any half pay, salary or other emolument from any public revenue raised, or in respect of any public services performed, within Her Majesty's dominions, his pension shall be reduced by half the amount of such half pay, salary, or emolument.

8. In case any person to whom a pension shall have been granted under the provisions of this Act shall, by reason of his re-employment, become eligible for any higher rate of pension than that already granted him, one of Her Majesty's Principal Secretaries of State may, by such writing as aforesaid, grant to him such higher rate of pension.

9. In case any person, having administered the Government of any colony and not being of the full age of 60, shall be called upon by Her Majesty to administer the Government of any colony not being of a lower class than that on which his rate of pension has been, or in case of his retirement on reaching the age of 60 would be calculated, and not being incapable from infirmity of mind or body of administering such Government, shall refuse to administer the same; or if any such person, not being of the full age of 65, shall relinquish such Government without the permission of Her Majesty, or shall neglect or decline to execute the duties thereof satisfactorily, the said Secretary of State may by writing under his hand declare that such person has forfeited all claim to any pension under this Act, and such claim shall thereupon be forfeited accordingly.

10. In case any person shall have administered the Government of any colony or colonies, and shall have likewise been

employed in the permanent Civil Service of Her Majesty, but shall not have become entitled to any pension under the preceding clauses of this Act, the number of years passed in the Government of such colony or colonies shall, for the purpose of computing any superannuation allowance to be granted to such person under The Superannuation Act, 1859,\* be taken to have been passed in the permanent Civil Service of Her Majesty, and at the rate of salary last received by such person in respect of his employment in such permanent Civil Service.

11. Any person claiming a pension shall, for the purposes of this Act, be taken to have been employed in the permanent Civil Service of Her Majesty while holding any office which at the time of his claiming such pension would entitle the holder thereof to superannuation allowance under The Superannuation Act, 1859.

12. One of Her Majesty's Principal Secretaries of State may, with the consent of the Lords Commissioners of the Treasury, from time to time determine under what conditions and to what extent any officer shall be deemed for the purposes of this Act to have been administering the Government of any colony while administering the same provisionally, or while absent from his Government with permission of Her Majesty; and for the purposes of this Act the commission issued under the great seal of the territory of New South Wales for the Government of the district of Port Phillip shall be taken to have constituted that district a colony.

13. All pensions granted under this Act shall be paid out of such moneys as Parliament may provide for the purpose, and a statement of all such pensions shall be laid annually before Parliament.

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*ACT of the British Parliament, to explain the Foreign Jurisdiction Act; and to define the meaning of the term "British Colonies."*

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[28 & 29 Vict., cap. 116.]

[July 5, 1865.]

BE it declared and enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. In the Foreign Jurisdiction Act† (that is to say, the Act of the session of the 6th and 7th years of Her Majesty's reign, chapter 94, "to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more

\* See Vol. 11. Page 238.      † See Vol. 6. Page 500.

effectual"), the term "British Colony" includes and shall be construed to include any of Her Majesty's possessions out of the United Kingdom.

2. This Act may be cited as The Foreign Jurisdiction Act Amendment Act, 1865.

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*ACT of the British Parliament, for the Regulation of Dockyard Ports; so far as relates to the issue of Orders in Council relative to Lights and the prevention of Collisions.*

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[28 & 29 Vict., cap. 125.]

[July 6, 1865.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Dockyard Ports Regulation Act, 1865."

7. In relation to any dockyard port it shall be lawful for Her Majesty in Council, from time to time, by Order in Council, on the joint recommendation of the Admiralty and the Board of Trade, to make rules concerning the lights or signals to be carried or used, and the steps for avoiding collision to be taken by Her Majesty's vessels and other vessels navigating the waters of the port and the approaches thereto; and such rules shall, with respect to Her Majesty's vessels and other vessels navigating those waters, have the same effect as if they had been regulations originally contained in Table C, in the Schedule to "The Merchant Shipping Act Amendment Act, 1862,"\* or were regulations duly substituted for the same, and as if such original or substituted regulations applied to Her Majesty's vessels as well as to other vessels.

9. Every Order in Council under this Act shall be published in "The London Gazette," and shall be made to take effect not sooner than the expiration of 30 days from such publication; and a copy of "The London Gazette," containing any such Order, shall be conclusive evidence of the due making and publication of such Order; and every such Order shall be judicially noticed without being specially pleaded.

10. Every Order in Council under this Act shall be binding on all persons, and shall be sufficient to justify all persons acting thereunder.

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\* See Vol. 11. Page 328.



BRITISH ORDER IN COUNCIL, *amending the Order in Council of October 31, 1848,\* relative to the Duties on Wines and Spirits admitted for consumption in the Garrison of Gibraltar. August 7, 1865.*

*At the Court at Osborne House, Isle of Wight, the 7th day of August, 1865.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS it is expedient to alter and amend, so far as relates to the duties on wines, spirits, strong waters, or cordials, admitted for consumption in the garrison, the Schedule A annexed to a certain Order made by Her Majesty Queen Victoria, by and with the advice of Her Privy Council, "for regulating the collection of Her Majesty's Revenues in Gibraltar," bearing date at the Court at Windsor, the 31st day of October, 1848, and to substitute a schedule with other and increased duties in lieu of that part of the said Schedule A, which relates to the duties on wines, spirits, strong waters, or cordials, admitted for consumption in the garrison; it is, therefore, hereby ordered by Her Majesty, by and with the advice of Her Privy Council, that that part of the Schedule A annexed to the said recited Order, which relates to the duties on wines, spirits, strong waters, or cordials, admitted for consumption in the garrison, be rescinded and abolished from and after the publication in Gibraltar of this Order, and that thereupon the Schedule annexed to this Order be substituted in lieu thereof; and that all the provisions and enactments of the said recited Order, applicable to the said part of Schedule A, annexed to the said recited Order, shall apply to the Schedule annexed to this Order, as if it were embodied in, and formed part of the said recited Order:

And the Right Honourable Earl de Grey and Ripon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ARTHUR HELPS.

SCHEDULE.—*Duty on Wines.*

	\$	r.	q.
On every gallon introduced into the garrison or territory, otherwise than in regular wine bottles ..	0	0	12
On all wines in bottles, introduced into the garrison or territory, being in regular wine bottles,			
		per dozen	0 3 0

Wines deposited in the Queen's stores, and afterwards exported from the same, are not liable to the above duty.

\* See Vol. 8. Page 319.

*Duty on Spirits, Strong Waters, or Cordials, admitted for Consumption in the Garrison.*

	\$	r.	q.
For every gallon, being of the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength than the strength of proof, and for any greater quantity than a gallon ..	1	0	0

BRITISH ORDER IN COUNCIL, *fixing the Duties to be paid to the Lighthouse on Skerviule Rock, in the Sound of Jura.*  
August 7, 1865.

*At the Court at Osborne House, Isle of Wight, the 7th day of August, 1865.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the 410th section of "The Merchant Shipping Act, 1854,"\* it is enacted that upon the completion of any new lighthouse, buoy, or beacon, Her Majesty may, by Order in Council, fix such dues in respect thereof, to be paid by the master or owner of any ship which passes the same, or derives benefit therefrom, as Her Majesty may deem reasonable, and may from time to time alter the amount thereof; and that such dues shall be paid and collected in the same manner, and by the same means and subject to the same conditions, in, by, and subject to which the light dues authorized to be levied by the said Act are paid and collected: and whereas the Commissioners of Northern Lighthouses are erecting and are about to light a new lighthouse on Skerviule Rock, in the Sound of Jura.

Now, therefore, Her Majesty, in exercise of the powers vested in her by the said recited Act, by and with the advice of Her Privy Council, is pleased to direct that upon the completion and lighting of the said light there shall be paid in respect of the said light, for every vessel, whether British or foreign, which may pass or derive benefit from such light, the toll of 1*d.* per ton, of the burthen of every such vessel for each time of passing or deriving benefit therefrom, if on an oversea voyage; and  $\frac{2}{8}$ ths of a penny per ton for each time of passing or deriving benefit therefrom, if on a coasting voyage, and that the said tolls in respect to the said lighthouse shall be levied by the Commissioners of Northern Lighthouses, subject to the gross abatement or discount of 60 per cent., and other regulations and abatements, mentioned in the new consolidated tables of light duties, sanctioned by an Order in Council dated the 1st day of November, 1864.

ARTHUR HELPS.

\* See Vol. 9. Page 777.

BRITISH ORDER IN COUNCIL, *applying the West Indian Encumbered Estates Act, 1854,\* to the Colony of Montserrat.*  
November 3, 1865.

*At the Court at Windsor, the 3rd day of November, 1865.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.  
Preamble.

It is hereby ordered by the Queen's most Excellent Majesty, by and with the advice of Her Privy Council, that the said "West Indian Encumbered Estates Act, 1854," shall, from the date of this Order in Council, come into operation in the colony of Montserrat:

And the Right Honourable Edward Cardwell, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions accordingly.

EDMUND HARRISON.

BRITISH ORDER IN COUNCIL, *regulating the Duties of the Inspector of Seamen's Wills, and establishing a Repository for Wills of Seamen and Marines.* December 28, 1865.

*At the Court at Osborne House, Isle of Wight, the 28th day of December, 1865.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by The Navy and Marines (Property of Deceased) Act, 1865, it is enacted (among other things), that Her Majesty in Council may from time to time make such Orders in Council as seem meet for the better execution of any of the purposes of that Act, and that the said Act shall commence on such day, not later than the 1st day of January, 1866, as Her Majesty in Council thinks fit to direct:

Now, therefore, Her Majesty, by virtue of the powers in this behalf by the said Act or otherwise in her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

*Preliminary.*

1. The said Act and this Order shall commence from and immediately after the 31st day of December, 1865.

2. In this Order—

The term "naval assets" includes all property affected by The Navy and Marines (Property of Deceased) Act, 1865.

The term "will," includes codicil.

The term "probate," includes letters of administration with will annexed.

\* See Vol. 10. Page 274.

Other terms have the same respective meanings as in the said Act.

I.—WILLS OF SEAMEN AND MARINES.

*Deposit of Will in Testator's Lifetime.*

3. In the office of the inspector of seamen's wills (hereafter in this Order called the inspector) there shall be a repository for wills of seamen and marines.

4. The will of a seaman or marine intended to pass naval assets may, as soon as practicable after its execution, be sent to the Secretary of the Admiralty to be examined by the inspector.

5. On receipt of any instrument purporting to be such a will, the inspector shall register it in books kept in his office for the purpose, specifying the date and place of the execution, the name and description of the testator, the name, description, and address of the person appointed executor, and those of the attesting witnesses.

6. If the instrument appears to the inspector invalid as a will on account of any informality or of non-accordance in any respect with The Navy and Marines (Wills) Act, 1865, or otherwise, he shall, as soon as may be, return it to the intending testator, with a statement in writing of the objection to its validity, and of the mode in which the objection may be removed.

7. If the instrument does not appear to the inspector invalid as a will, he shall cause it to be stamped with the official stamp of the Admiralty, and to be placed in the repository for wills of seamen and marines, under official seal, and shall issue a receipt for it to the testator, specifying the matters required to be registered as aforesaid.

8. With reference to every such will, the inspector shall also proceed as follows:

(1.) He shall, with all convenient speed, issue to the person appointed executor, if any, a cheque of the will, not giving any information respecting the testator's disposition of his property, but containing directions as to the steps to be taken on the testator's death.

(2.) If there is not any person appointed executor, then, with the assent of the testator, either implied by the mode of transmission of the will to the Admiralty Office, or expressed, but not otherwise, he shall, with all convenient speed, issue to the residuary or the universal legatee, or other person most beneficially interested under the will, a cheque in lieu of the will, containing directions as to the steps to be taken on the testator's death.

(3.) If in any such last-mentioned case, by reason of the absence of such assent, a cheque is not issued in the testator's



lifetime, then he shall, with all convenient speed, after the testator's death, issue to the residuary, or the universal legatee, or other person most beneficially interested under the will, a cheque in lieu of the will, containing directions as to the steps to be taken in consequence of the testator's death.

*Deposit of Will after Testator's Death.*

9. On the death of a seaman or marine leaving a will, if the will is not already deposited with the inspector, it shall be forthwith sent to the Secretary of the Admiralty by the executor or other person having possession of it, to be examined by the inspector.

10. On receipt of any instrument purporting to be such a will, the inspector shall register it in books kept in his office for the purpose, specifying the date and place of execution, the name and description of the testator, and the name, description, and address of the person appointed executor, and those of the attesting witnesses.

11. If the inspector doubts the authenticity of the alleged will, or if the instrument appears to him invalid as a will on account of any informality or of non-accordance in any respect with The Navy and Marines (Wills) Act, 1865, or otherwise, he shall, as soon as may be, give notice in writing to the person appointed executor, or, if none, to the residuary or the universal legatee or other person most beneficially interested under the alleged will, informing him that the alleged will is stopped, and stating the reason thereof.

12. If the inspector does not doubt the authenticity of the will, and the instrument does not appear to him invalid as a will, he shall cause it to be stamped with the official stamp of the Admiralty, and shall issue to the person appointed executor, or, if none, to the residuary or the universal legatee or other person most beneficially interested under the will, a cheque in lieu of the will, containing directions as to the steps to be taken in consequence of the testator's death.

*Proceedings on Testator's Death.*

13. Where a seaman or marine dies leaving a will, and a cheque has been issued in pursuance of the foregoing provisions, the following steps shall be taken (in cases where this course of proceeding is applicable) by and with respect to the holder of the cheque:

(1.) The officiating minister of the parish or district parish wherein the holder of the cheque resides shall on his request examine him and two inhabitant householders of the parish produced by him for the purpose.

(2.) In the presence of the minister, the holder of the cheque shall sign the application, and the householders shall

sign the certificate, subjoined to the check (all blanks being first filled up according to truth, and the minister having first read over to the holder of the cheque and householders, the caution printed on the cheque), for which purpose the holder of the cheque and householders shall attend at such time and place as the minister appoints.

(3.) The minister being, on examination of the holder of the cheque and householders, satisfied of the truth of their statements, and of the holder of the cheque being the executor, or other person therein described as qualified to act, and of the persons certifying being inhabitant householders of the parish, and having seen the parties sign the application and certificate respectively, shall add a description of the height, complexion, colour of eyes and hair, and age of the holder of the cheque, and of any observable peculiarities of person about him, and shall certify to the several particulars by subscribing his signature thereto.

(4.) The holder of the cheque shall, before signing the application, pay to the minister a fee of 2s. 6d. for his trouble in the matter.

(5.) The application and certificates being completed the minister shall return them with the cheque addressed as directed.

14. If the inspector, on the return of the cheque, application, and certificates, is satisfied of the right of the claimant, he shall proceed as follows :

(1.) In case representation is required or intended to be taken out, he shall indorse on the original will a certificate (in such form and to such effect as he thinks fit) to enable the claimant to take out representation, and shall deliver the will to the claimant; and probate obtained in accordance with the certificate, being produced to the inspector and registered, and being indorsed by him as available for receipt of naval assets, shall be so available.

(2.) In case representation is not required or intended to be taken out, the inspector shall issue to the claimant a certificate, which shall be available for receipt of naval assets, without probate.

15. If the inspector, on the return of the cheque, application, and certificates, is not satisfied of the right or fitness of the claimant, he may (by indorsement on the original will) certify to that effect, and that he declines to interfere; or, if he thinks fit, he may (by indorsement on the original will) certify his objections for the information of the court out of which representation would be taken, and if the court thinks fit to grant probate to the claimant, the same, being produced to the inspector and registered, shall be indorsed by him as available for receipt of naval assets, and shall be so available accordingly.

16. If in any case the minister is not satisfied that the holder of the cheque is the person qualified to act according to the instructions therein, he shall forthwith advise the Admiralty of his reasons by letter addressed as directed.

17. Notwithstanding anything in the foregoing provisions, where probate, or, in Scotland, confirmation of executor, in case of testacy, is obtained without the inspector's certificate, and naval assets form part of the effects, the inspector, if satisfied on subsequent investigation, from official or other information, that there is no reason to doubt that representation has been obtained by the proper person, may admit the probate or confirmation of executor as authority for receipt of naval assets by indorsement thereon, and the same shall be available accordingly.

## II.—INTESTACIES OF SEAMEN AND MARINES.

18. Where a seaman or marine dies intestate leaving naval assets, the following proceedings shall be taken;

(1.) On receipt by the inspector of a letter from a person claiming the naval assets (as widow or next of kin) of the deceased, the inspector shall, if, after the requisite preliminary inquiries, there appear sufficient grounds for entertaining the claim, send by post, under cover to the officiating minister of the parish or district parish wherein the claimant resides, a form of application to be filled up, and a letter of instructions for the minister's guidance.

(2.) The inspector shall at the same time send to the claimant a letter advising her or him of the transmission to the minister of the form of application, and pointing out the steps to be taken by the claimant for substantiating the claim.

(3.) After the minister's receipt of the form he shall, on the request of the claimant, examine her or him and two inhabitant householders of the parish produced by her or him for the purpose.

(4.) In the presence of the minister the claimant shall sign the application and the householders shall sign the certificate subjoined thereto (all blanks being first filled up according to truth, and the minister having first read over to the claimant and householders the caution printed on the form of application), for which purpose the claimant and householders shall attend at such time and place as the minister appoints.

(5.) The minister being, on examination of the claimant and householders, satisfied of the truth of their statements, and of the persons certifying being inhabitant householders of the parish, and having seen the parties sign the application and certificate respectively, shall add a description of the height, complexion, colour of eyes and hair, and age of the claimant, and of any observable peculiarities of person about her or him,

and shall certify to the several particulars by subscribing his signature thereto.

(6.) The claimant shall, before signing the application, pay to the minister a fee of 2s. 6d. for his trouble in the matter.

(7.) The application and certificates being completed the minister shall return them addressed as directed.

19. If the inspector, on the return of the application and certificates, is satisfied of the right of the claimant he shall proceed as follows:

(1.) In case representation is required or intended to be taken out, he shall issue to the claimant a certificate (in such form and to such effect as the inspector thinks fit) to enable the claimant to take out representation; and letters of administration obtained in accordance with the certificate being produced to the inspector and registered, and being indorsed by him as available for receipt of naval assets, shall be so available.

(2.) In case representation is not required or intended to be taken out, the inspector shall issue to the claimant a certificate which shall be available for receipt of naval assets, without administration.

20. If the inspector, on the return of the application and certificates, is not satisfied of the right or fitness of the claimant, he may certify to that effect, and that he declines to interfere; or if he thinks fit he may certify his objection for the information of the court out of which letters of administration or confirmation of executorship would be taken, and if the court thinks fit to grant such letters or confirmation to the claimant, the same, being produced to the inspector and registered, shall be indorsed by him as available for receipt of naval assets, and shall be so available accordingly.

21. If, in any case within two calendar months from the minister's receipt of the form, a request for examination is not made to him by the claimant, or effectual steps are not taken by the claimant to complete the application, the minister shall, at the expiration of those two months, return the form, addressed as directed, with his reason for doing so noted thereon.

22. If in any case the minister rejects any claim for want of satisfactory proof, he shall state his reason for such rejection on the form, and forthwith return it addressed as directed.

23. Notwithstanding anything in the foregoing provisions, where letters of administration have, or in Scotland, confirmation of executor (on intestacy) has been obtained without the inspector's certificate, and naval assets form part of the effects, the inspector, if satisfied on subsequent investigation, from official or other information, that there is no reason to doubt that representation has been obtained by the proper person,



may admit the letters of administration or confirmation of executor as authority for receipt of naval assets by indorsement thereon, and the same shall be available accordingly.

### III.—OFFICERS, PENSIONERS, CIVIL SERVANTS, AND OTHERS.

24. Where an officer or any person described in section 4 of “The Navy and Marines (Property of Deceased) Act, 1865,” dies, testate or intestate, leaving naval assets not exceeding 100*l.*, and representation is not required or intended to be taken out in England, the inspector, after making such preliminary inquiries as seem to him requisite, shall proceed as follows :

(1.) He may (if he thinks fit) require the form of application to be certified by an officiating minister and two householders, as prescribed in this Order in the case of a seaman or marine; or else—

(2.) He may (if he thinks fit) require a statutory declaration by the claimant, suited to the circumstances of the case, and a certificate from two householders, certifying to the claimant's identity, and to their belief in the truth of the statement declared to; or—

(3.) He may, in any case where the foregoing provisions do not apply, accept such other evidence in support of the claim as seems to him sufficient.

25. On the return to the inspector of the application or statutory declaration (as the case may be) and the certificate of the householders, or after such other investigation as he thinks fit under the authority of the last foregoing provision of this Order to substitute, and, where there is a will, on the production to him thereof, then, if he is satisfied of the right of the claimant, he shall issue to the claimant a certificate which shall be available for receipt of naval assets, without probate or administration.

26. Where, however, representation is taken out in any court other than the Court of Probate in England, the inspector may, instead of issuing any certificate, admit the letters of administration, probate, or other equivalent instrument, as authority for receipt of naval assets by indorsement thereon, and the same shall be available accordingly without the seal of the Court of Probate in England.

27. In every such case the provisions of “The Navy and Marines (Property of Deceased) Act, 1865,” with respect to the payment of debts out of the residue, shall apply, *mutatis mutandis*, except that on the claim of a creditor not being entertained or allowed, the creditor may take out representation.

### IV.—INTESTACY, GENERALLY.

28. Notwithstanding anything in this Order, the inspector shall not in any case of intestacy (except in cases exempted by

a general order of the Admiralty from the operation of the present clause) issue a certificate available for receipt of naval assets without administration, until after the expiration of three calendar months from the receipt by the Admiralty of notice of the intestate's death, unless in special circumstances it appears to the inspector safe and proper to issue his certificate at an earlier time.

#### V.—SPECIAL DISPOSAL OF RESIDUE BY ADMIRALTY.

29. With respect to any case provided for by paragraph (3) of section 8 of "The Navy and Marines (Property of Deceased) Act, 1865," the ground of the non-applicability of paragraphs (1) and (2) of that section being the absence of proof of the death of some person, proof of whose death is requisite to make those paragraphs applicable, then and in every such case, if it appears to the inspector that those paragraphs would have been applicable but for the desertion or misconduct of the person, proof of whose death is wanting, the inspector shall proceed as if the death of that person were proved.

#### VI.—BASTARDS.

30. Where a person, subject to "The Navy and Marines (Property of Deceased) Act, 1865," dies intestate, being a bastard, and not leaving a widow or children or descendants, and leaving naval assets, the following provisions shall have effect:

(1.) Where the naval assets exceed 10*l.*, no petition to Her Majesty for a grant shall be entertained by the Lords Commissioners of Her Majesty's Treasury, unless and until the inspector has investigated the facts of the case in such manner as seems to him expedient, and has certified for the information of the said Lords Commissioners the result of his investigation.

(2.) Where the naval assets do not exceed 10*l.*, it shall not be necessary that a grant from Her Majesty be obtained, but the inspector may issue a certificate authorizing payment of the naval assets to the person who would (in the judgment of the inspector), according to the practice observed by the Lords Commissioners of Her Majesty's Treasury, obtain a grant if the naval assets exceeded 10*l.*

#### VII.—GENERAL PROVISIONS.

31. Notwithstanding anything in this Order, the inspector may make such investigations as seem to him expedient into any statements submitted to him, and into the facts and circumstances of the case,—in any case whatever, in addition to the investigations prescribed by this Order,—and in any case where the provisions of this Order are not applicable, or the naval assets do not exceed 10*s.*, in substitution for the investigations prescribed by this Order, or any of them.

32. The provisions of this Order shall have effect without prejudice to the rules and practice for the time being in force and observed under "The Navy and Marines (Property of Deceased) Act, 1865," with respect to the discharge of the claims of creditors.

#### VIII.—MEDALS AND DECORATIONS.

33. Any medal or decoration to which an officer, seaman, or marine, is entitled, but which is not issued at the time of his death, shall be issued in favour of his

- (1.) Wife;
  - (2.) Father or mother;
  - (3.) Son or daughter
  - (4.) Brother or sister
- } according to seniority;

and not in favour of any other person, except under the special directions of the Admiralty.

34. Any medal or decoration belonging to an officer, seaman, or marine, issued before his death shall, on coming into the custody of the Admiralty, be delivered to his representative, unless representation has been taken out by a creditor as such, in which case it shall be disposed of as if it had not been issued.

And the Lords Commissioners of Her Majesty's Treasury and the Lords Commissioners of the Admiralty are to give the necessary directions herein as to them [may respectively appertain.

ARTHUR HELPS.

#### *ACT of the British Parliament, to make Provision for the Government of Jamaica.*

[29 Vict., cap. 12.]

[March 23, 1866.]

WHEREAS two Acts were passed by the Legislature of Jamaica during a session held in this present year of Her Majesty, intituled, respectively, "An Act to alter and amend the Political Constitution of this Island," "An Act to amend an Act passed in the present session, intituled 'An Act to alter and amend the Political Constitution of this Island,'" and it is expedient that the said Acts should be brought into operation, under authority of Parliament, in the manner and to the extent hereinafter set forth:

And whereas parts of the said Acts are set out in the schedule hereunto annexed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. So much of said recited Acts as is contained in the said schedule shall come into operation in the Island of Jamaica so soon as the assent thereto of Her Majesty in Council shall have been proclaimed in the said island by the officer administering the Government thereof.

2. In construing the said secondly-recited Act, the term "Government," shall be held to include "Legislature;" and the powers exerciseable by Her Majesty under the said Act shall be exerciseable by Her Majesty in Council.

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SCHEDULE.

*ACT to alter and amend the Political Constitution of this Island (Jamaica).*

[29 Vict., cap. 11.]

[December 7, 1865.]

WHEREAS it is necessary to alter the present Political Constitution of this island: Be it enacted by the Governor, Legislative Council, and Assembly of this island, and it is hereby enacted by the authority of the same,

First, that from and after the coming into operation of this Act the present Legislative Council and House of Assembly, and all and every the functions and privileges of those two bodies respectively, shall cease and determine absolutely.

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*ACT to amend an Act passed in the present session, entitled "An Act to alter and amend the Political Constitution of this Island" (Jamaica).*

[29 Vict., cap. 24.]

[December 22, 1865.]

WHEREAS an Act was passed by the Legislature of this island during this present session, entitled, "An Act to alter and amend the Political Constitution of this Island:" And whereas it is desirable that the same should be amended: Be it therefore enacted by the Governor, Legislative Council, and Assembly of this island, and it is hereby enacted by the authority of the same,

In place of the Legislature abolished by the first section of the recited Act it shall be lawful for Her Majesty the Queen to create and constitute a Government for this island in such form and with such powers as to Her Majesty may best seem fitting, and from time to time to alter or amend such Government.

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*ACT of the British Parliament, for facilitating the public Exhibition of Works of Art in certain Exhibitions (Paris, &c.).*

[29 Vict., cap. 16.]

[April 30, 1866.]

WHEREAS the owners of works of art have shown great willingness to lend them for public exhibition:



And whereas it has been proposed to hold exhibitions of national portraits by means of loans, and to contribute works of art now in this country to the Universal Exhibition at Paris in 1867 :

And whereas it is expedient to facilitate the loan of such works of art to the above-mentioned exhibitions :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. The owner for the time being of any work of art may, without incurring any responsibility for any consequent loss or injury, lend such work to the Lord President for the time being of Her Majesty's Most Honourable Privy Council, for any period not exceeding 12 months, to be exhibited to the public by him or by his direction at the above-mentioned exhibitions.

2. It shall be the duty of the Lord President to take due precautions for the preservation of all works of art lent to him in pursuance of this Act, but he shall not be personally liable for any loss or injury any article may sustain.

3. The expression "owner for the time being" shall include trustees of museums and other bodies of persons, whether corporate or unincorporate, having in their possession or under their control works of art, on trust for any public purpose, or for any artistic or scientific society, or possessed thereof on behalf of themselves and their successors ; it shall also include any tenant for life or other person beneficially entitled (otherwise than as mortgagee) to the possession or enjoyment of works of art for life or any other limited period, and being of full age.

4. This Act may be cited for all purposes as The Art Act, 1866.

*ACT of the British Parliament, to amend the Harbours and Passing Tolls, &c., Act, 1861.*

[29 Vict., cap. 30.]

[May 18, 1866.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. Where under The Harbours and Passing Tolls, &c., Act, 1861,\* any loan has been or is about to be made by the Public Works Loan Commissioners to a Harbour Authority having borrowing powers under a special Act by which the extinguish-

\* See Vol. 11. Page 770.

ment of any debt of the Harbour Authority by means of annual payments of a prescribed amount or within a prescribed time is required, and the Board of Trade, on the application of the Harbour Authority, are satisfied that by virtue of the provision made or about to be made for repayment within a certain time of any such loan or loans from the Public Works Loan Commissioners there will be extinguished an amount of debt of the Harbour Authority not less than that which would in the same time be extinguished under the provisions of the special Act, and the Board of Trade thereupon certify in writing to the effect that it is expedient that the operation of the provisions of the special Act relative to the extinguishment of debt, or such of them as are referred to in the certificate, should as from a time therein specified, and subject to any conditions therein expressed, be suspended during the period or periods for repayment of such loan or loans to the Public Works Loan Commissioners, then and in every such case the operation of those provisions shall be and the same is by virtue of this Act and of the certificate suspended accordingly.

2. Any money borrowed from the Public Works Loan Commissioners to which any certificate of the Board of Trade under this Act relates, when paid off, shall not be reborrowed.

3. This Act may be cited as The Harbour Loans Act, 1866.

**BRITISH TREASURY WARRANT**, *fixing the Rates of Postage on Letters, Newspapers, Books, &c., and Patterns or Samples transmitted from the United Kingdom, or from British Colonies and Foreign Countries through the United Kingdom to New Zealand or Australia, via Panama; and on Letters and Packets transmitted from Panama to New Zealand or Australia, without passing through the United Kingdom.* May 25, 1866.

[Repealed by Warrant, dated September 22, 1866.]

**ACT of the British Parliament, for the Union of the Colony of Vancouver Island with the Colony of British Columbia.**

[29 & 30 Vict., cap. 67.]

[August 6, 1866.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as The British Columbia Act, 1866.

2. In this Act the term "Governor" means any officer for the time being lawfully administering the government.

3. From and immediately after the proclamation of this Act by the Governor of British Columbia, the colony of Vancouver Island shall be and the same is hereby united with the colony of British Columbia, and thenceforth those two colonies shall form and be one colony, with the name of British Columbia (which union is in this Act referred to as the union).

4. On the union taking effect, the form of government existing in Vancouver Island as a separate colony shall cease, and the power and authority of the Executive Government and of the Legislature existing in British Columbia shall extend to and over Vancouver Island; but in order that provision may be made for the representation of Vancouver Island in the Legislature of British Columbia after the union, the maximum number of councillors in the Legislative Council of British Columbia after the union shall, until it is otherwise provided by lawful authority, be 23 instead of 15.

5. After and notwithstanding the union the laws in force in the separate colonies of British Columbia and Vancouver Island respectively at the time of the union taking effect shall, until it is otherwise provided by lawful authority, remain in force as if this Act had not been passed or proclaimed; save only that the laws relative to the revenue of Customs in force in British Columbia at the time of the union taking effect shall, until it is otherwise provided by lawful authority, extend and apply to Vancouver Island; and, until it is otherwise provided by lawful authority, the Governor of British Columbia shall have, in relation to the territory for the time being under his government, all the powers and authorities for the time being vested, in relation to the United Kingdom, in the Commissioners of Her Majesty's Treasury or in the Commissioners of Customs, with respect to the appointment of warehousing ports, and the approval and appointment of warehouses or places of security in such ports, and everything consequent thereon or relative thereto.

6. Nothing in this Act shall take away or restrict the authority of the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, to make laws for the peace, order, and good government of British Columbia either before or after the union; nor shall anything in this Act interfere with the exercise of any power that would have been exerciseable by Her Majesty in Council if this Act had not been passed.

7. Until the union British Columbia shall comprise all such territories within the dominions of Her Majesty as are bounded to the south by the territories of the United States of America, to the west by the Pacific Ocean and the frontier of the Russian

territories in North America, to the north by the 60th parallel of north latitude, and to the east from the boundary of the United States northwards by the Rocky Mountains and the 120th meridian of west longitude, and shall include Queen Charlotte's Island and all other islands adjacent to the said territories, except Vancouver Island and the islands adjacent thereto.

8. After the union British Columbia shall comprise all the territories and islands aforesaid and Vancouver Island and the islands adjacent thereto.

9. The Acts described in the Schedule to this Act are hereby repealed; but this repeal shall not invalidate any Order in Council or other instrument issued under the authority of those Acts or either of them, or any act done or right or title acquired by virtue of those Acts or of either of them or of any such Order or instrument.

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SCHEDULE.

*Acts repealed.*

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21 & 22 Vict., c. 99* ..	An Act to provide for the Government of British Columbia.
26 & 27 Vict., c. 83† ..	An Act to define the Boundaries of the Colony of British Columbia, and to continue an Act to provide for the Government of the said colony.

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*ACT of the British Parliament, to repeal part of an Act intituled an Act for the Government of New South Wales and Van Diemen's Land.*

[29 & 30 Vict., cap. 74.]

[August 6, 1866.]

WHEREAS by an Act passed in the 6th year of the reign of Her present Majesty, intituled An Act for the Government of New South Wales and Van Diemen's Land,‡ it was enacted that, except as therein mentioned, all Bills passed by the Legislative Council of New South Wales which should alter or affect the duties of Customs upon any goods, wares, or merchandise imported to or exported from the said colony, should in every case be reserved for the signification of Her Majesty's pleasure thereon:

And whereas by an Act passed in the 14th year of Her

\* See Vol. 10. Page 1047. † See Vol. 11. Page 1093. ‡ See Page 222.



Majesty, intituled An Act for the better Government of Her Majesty's Australian Colonies,\* the above-recited enactments were in part repealed, and in part extended to the colonies of Victoria, Van Diemen's Land, South Australia, and Western Australia ;

And whereas by two Acts passed in the 15th year of Her Majesty, intituled respectively An Act to enable Her Majesty to assent to a Bill as amended of the Legislature of New South Wales "to confer a Constitution on New South Wales, and to grant a Civil List to Her Majesty,"† and An Act to enable Her Majesty to assent to a Bill as amended of the Legislature of Victoria, to establish a Constitution in and for the Colony of Victoria, the provisions of the first-mentioned Act respecting the reservation of Bills for the signification of Her Majesty's pleasure thereon are declared applicable to the colonies of New South Wales and Victoria respectively ; and doubts are entertained how far the above-recited enactments remain still in force in Her Majesty's Australian colonies, and it is expedient that such doubts should be removed, and that the said provisions should be repealed :

Be it hereby enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. The above-recited enactments of the aforesaid Act of the 6th year of Her Majesty shall be and they are hereby repealed.

2. No law heretofore passed in any of the afore-mentioned colonies shall be or be deemed to have been invalid on the ground that such law being a law altering or affecting the duties of Customs aforesaid has not been reserved for the signification of Her Majesty's pleasure thereon.

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*ACT of the British Parliament to amend the Foreign Jurisdiction Act, (and to give Power to the Queen in Council to assign Jurisdiction to Courts in British Dominions in Cases within Foreign Jurisdiction Acts).*

[29 & 30 Vict., cap. 87.]

[August 6, 1866.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. It shall be lawful for Her Majesty in Council from time to time, if and when it seems fit, by Order in Council made under the Foreign Jurisdiction Acts, to assign to or confer on

\* See Page 223.

† See Page 230.

any court in any of Her Majesty's possessions out of the United Kingdom any jurisdiction, civil or criminal, original or appellate, which Her Majesty in Council might lawfully by any such Order assign to or confer on any court in any country or place out of Her Majesty's dominions within which Her Majesty has power or jurisdiction, and from time to time by any such Order to make such provisions and regulations as to Her Majesty in Council seem meet respecting the exercise of the jurisdiction so assigned or conferred, and respecting the enforcement and execution of the Judgments, Decrees, Orders, and sentences of any such court, and respecting appeals therefrom; and every such Order shall be effectual to vest in the court to which it relates, the jurisdiction expressed to be thereby assigned or conferred, and the same shall be exercised subject and according to the provisions and regulations aforesaid.

2. This Act may be cited as "The Foreign Jurisdiction Act Amendment Act, 1866," and the Act of the Session of the 6th and 7th years of Her Majesty's reign, (chapter 94,)\* "to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual," may be cited as "The Foreign Jurisdiction Act, 1843," and that Act and the Foreign Jurisdiction Act Amendment Act, 1865,† and this Act, may be cited together and are in this Act referred to as The Foreign Jurisdiction Acts.

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BRITISH ORDER IN COUNCIL, *ordering every Passenger Ship, carrying more than 50 Passengers, to carry a duly qualified Medical Practitioner. August 9, 1866.*

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*At the Court at Osborne House, Isle of Wight, the 9th day of August, 1866.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS by The Passengers' Act, 1855,‡ it is enacted that it shall be lawful for Her Majesty, by any Order in Council, to prescribe such rules and regulations as to Her Majesty may seem fit, for certain purposes in the said Act specified, and, amongst others, for requiring duly qualified medical practitioners to be carried in passenger ships, in cases where they would not be required to be carried under the provisions of the said Act. And such Order in Council from time to time, in like manner, to alter, amend, and revoke as occasion may require:

\* See Vol. 6. Page 500.

† See Page 1081.

‡ See Vol. 10. Page 348.

And whereas from the prevalence of choleraic disease in certain parts of the United Kingdom, it has become expedient that Her Majesty should exercise the discretion and authority so vested in her as aforesaid:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in pursuance and exercise of the authority vested in her by the said Passengers' Act, 1855, doth hereby order as follows; that is to say:

From and after the 20th instant, and so long as this Order shall continue in force, every passenger ship, carrying more than 50 passengers on any voyage to which the said Act extends, shall, whatever be the duration of the voyage, and subject to the provisions of the 42nd section of the said Act, carry a duly qualified medical practitioner, who shall be rated on the ship's articles.

To prevent all doubts in the construction of this Order in Council, it is hereby further ordered, that the terms "passenger," and "passenger ship," shall have the same significations as are assigned to them respectively in the said Passengers' Act, 1855, and unless inconsistent with the context words of one number shall import both numbers.

And the Right Honourable the Earl of Carnarvon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ARTHUR HELPS.

*ACT of the British Parliament, to guarantee the Liquidation of Bonds issued for the Repayment of Advances made out of Public Funds for the Service of the Colony of New Zealand.*

[29 & 30 Vict., cap. 104.]

[August 10, 1866.]

WHEREAS by an Act passed by the General Assembly of New Zealand in the 27th year of Her present Majesty, intituled, The New Zealand Loan Act of 1863, provision was made for borrowing on bond, debenture, or otherwise, sums of money not exceeding 3,000,000*l.* sterling, which sums, and the interest thereon, were by the said Act charged on the ordinary revenue of New Zealand as therein set forth:

And whereas the agents appointed by authority of the said Act to borrow the aforesaid sums of money have, by direction of the Government of New Zealand, issued and placed in the hands of the Commissioners of Her Majesty's Treasury debentures to the amount of 500,000*l.* sterling, which debentures are held by the said Commissioners as collateral security for the repayment of certain sums of money due from the Government of New Zealand to Her Majesty's exchequer:

And whereas, in order to make the said debentures available, it is expedient that the said Commissioners should be empowered to guarantee the due payment of the principal and interest of the said debentures:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. It shall be lawful for the Commissioners of Her Majesty's Treasury by the signature of their Assistant Secretary to guarantee, either absolutely or subject to such conditions as they shall think fit, the payment of the principal sums and interest which may from time to time become due from the Government of New Zealand on the aforesaid debentures, being of the numbers and amounts specified in the schedule to this Act; and in case any failure shall take place in the regular payment of the said principal and interest, it shall be lawful for the said Commissioners to cause to be paid out of the growing produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland such sums as may from time to time be required to make good such failure.

2. The Commissioners of Her Majesty's Treasury shall cause to be prepared, and shall lay before both Houses of Parliament within 14 days next after the beginning of every session, an account of all sums from time to time issued out of the Consolidated Fund of the United Kingdom by virtue of this Act towards making good any such failure as aforesaid, and also an account of all sums repaid by or recovered from the colony of New Zealand by reason of such issue, with the interest paid or recovered thereon.

3. And whereas by an Act of the General Assembly of New Zealand passed in the 27th year of Her Majesty, intituled an Act to enable the Governor to establish Settlements for Colonization in the Northern Island of New Zealand, provision was made for the Proclamation of certain districts within the said colony, and for setting apart within such districts eligible sites for settlements for colonization, and for other matters therein mentioned: And whereas doubts are entertained whether the provisions of the said Act, or some of them, may not be void by reason of their repugnancy to the third section of an Act of Parliament of the 20th and 21st years of Her Majesty, intituled an Act to guarantee a Loan for the Service of New Zealand: Be it enacted as follows: Nothing in the said Act to enable the Governor to establish settlements for colonization in the Northern Island of New Zealand shall be or be deemed to have been void or inoperative on account of any repugnance to any of the provisions of the last-mentioned Act of Parliament or of this Act.



4. The Act passed in the 27th and 28th years of Her Majesty, intituled an Act to guarantee the Liquidation of a Loan for the Service of the Colony of New Zealand (cap. 82), is hereby repealed.

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SCHEDULE referred to in the foregoing Act.

Debentures bearing interest at the rate of 4 per cent. per annum redeemable in 50 years from the 1st November, 1865.

Nos. of Bonds.

1 to 200	=	200 bonds of £1,000	=	£200,000
1,001 to 1,300	=	300 bonds of 500	=	150,000
2,251 to 2,625	=	375 bonds of 200	=	75,000
501 to 1,250	=	750 bonds of 100	=	75,000
Total ..				<u>£500,000</u>

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*ACT of the British Parliament, for the Amendment of the Law relating to Treaties of Extradition.*

[29 & 30 Vict., cap. 121.]

[August 10, 1866.]

WHEREAS difficulties have been experienced in carrying into execution Treaties for the extradition of persons accused of crimes between Her Majesty and the Sovereigns or Governments of certain foreign States: And whereas the statutes now in force for this purpose have been found insufficient: And whereas it is expedient to amend the same, and to give greater facilities than at present exist under the aforesaid statutes for the admission in evidence of judicial or official documents or copies of documents:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. That warrants of arrest and copies of depositions signed or taken by or before a judge or competent magistrate in any foreign State with which Her Majesty may have entered into, or may hereafter enter into, any Treaty for the extradition of fugitive offenders or persons accused of crimes, shall henceforth be received in evidence if authenticated in the manner following, that is to say, if the warrant of arrest purports to be signed by a judge or other competent magistrate of the country in which the same shall have been issued, and if the copies of depositions purport to be certified under the hand of such judge or magistrate to be true copies of the original depositions, and if the signature of the judge or magistrate in each case shall be authenticated in the manner usual in the respec-

tive States or countries by the proper officer of the department of the minister of justice, and sealed with the official seal of such minister; and all courts of justice and magistrates in Her Majesty's dominions shall take judicial notice of such official seal, and shall admit the documents so authenticated by it to be received in evidence without further proof.

2. This Act shall be construed with an Act passed in the 8th and 9th years of the reign of Her Majesty, chapter 113, intituled An Act to facilitate the Admission in Evidence of Official and other Documents, and also with an Act passed in the 14th and 15th years of the reign of Her Majesty, chapter 99,\* intituled An Act to amend the Law of Evidence.

3. The duration of this Act shall be limited to the 1st day of September, 1867.

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters, Newspapers, Books, &c., and Patterns or Samples transmitted from the United Kingdom, or from British Colonies and Foreign Countries through the United Kingdom, to New Zealand or Australia via Panama; and on Letters and Packets transmitted from Panama to New Zealand or Australia, without passing through the United Kingdom.* September 22, 1866.

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[Repealed by Warrant, dated June 1, 1867.]

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ACT of the British Parliament, to remove certain Religious Disabilities affecting some of Her Majesty's Subjects, and to amend the Law relating to Oaths of Office.

[30 & 31 Vict., cap. 75.]

[August 12, 1867.]

WHEREAS certain of Her Majesty's subjects are now, on the ground of their religious belief, subject to civil disabilities, and are required to take oaths for the enjoyment of offices and franchises which other subjects of Her Majesty are not required to take:

And whereas it is expedient to remove such disabilities, and to substitute one uniform oath for the several oaths now required to be taken by different classes of Her Majesty's subjects as a qualification for the exercise and enjoyment of offices, franchises, and civil rights:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Every subject of Her Majesty shall after the passing of

\* See Vol. 9. Page 329.

this Act be eligible to hold and enjoy the office of Lord Chancellor of Ireland, or Lord Keeper or Lord Commissioner of the Great Seal in Ireland, without reference to his religious belief, on taking and subscribing the oath hereinafter substituted for the oath now required to be taken instead of the oaths of allegiance, abjuration, and supremacy, and also any other oath or declaration of office not involving any religious test which now is or from time to time may be required to be taken by the holder of the said office.

2. In case the said office shall be held by any person not being a member of the United Church of England and Ireland, any right of presentation to any ecclesiastical benefice belonging to such office shall, while the office shall be so held as aforesaid, devolve upon and be exercised by such person as Her Majesty by sign manual may appoint to exercise the same, and in default of such appointment the right of such presentation shall devolve upon and be exercised by the Archbishop of Armagh.

3. In case the office of Lord Chancellor of Ireland, or Lord Keeper or Lord Commissioner or one of the Lords Commissioners of the Great Seal in Ireland, shall at any time after the passing of this Act be held by a person not a member of the United Church of England and Ireland, the jurisdiction of nominating delegates to hear appeals from the Ecclesiastical Courts in Ireland, and of hearing applications for and issuing commissions of review to reconsider the decisions of such courts of delegates, shall, while the office shall be so held as aforesaid, be exercised by such one of the Chief Judges of the Courts of Chancery or Common Law in Ireland, being a member of the United Church of England and Ireland, as Her Majesty or her successors shall by sign manual from time to time appoint to exercise the same; and such chief judge shall also, while the office shall be so held as aforesaid, act in place of the Lord Chancellor as trustee or member of any charity or of any board or institution of which the Lord Chancellor is now an *ex officio* trustee or member, and which has for its object the exclusive benefit of, or the administration of endowments or funds for the exclusive benefit of, members of the United Church of England and Ireland, or of which it is now required by law that such trustee or member shall belong to the United Church of England and Ireland.

4. Every person holding any judicial or civil or corporate office may attend and be present at any place of public meeting for religious worship in England, Ireland, or Scotland, in the robe, gown, or other peculiar habit of his office, or with the ensign or insignia of or belonging to the same, without incurring any forfeiture of office or penalty for such attendance.

5. In all cases in which any oath which has been substituted

for the oaths of allegiance, supremacy, and abjuration is now required to be taken, or taken and subscribed, as a qualification for the exercise or enjoyment of any office, franchise, or civil right, the following oath shall be taken, or taken and subscribed, as the case may be, in lieu and instead of such substituted oath :

"I, A. B. do swear, that I will be faithful and bear true allegiance to Her Majesty Queen Victoria; and I do faithfully promise to maintain and support the succession to the Crown, as the same stands limited and settled by virtue of the Act passed in the reign of King William III, intituled 'An Act for the further limitation of the Crown, and better securing the rights and liberties of the subject,' and of the subsequent Acts of Union with Scotland and Ireland. So help me God."

6. Where in the oath hereby appointed the name of Her present Majesty is expressed, the name of the sovereign of this Kingdom for the time being, by virtue of the Act "for the further limitation of the Crown, and better securing the rights and liberties of the subject," shall be substituted from time to time, with proper words of reference thereto.

7. Every person of the persuasion of the people called Quakers, and every other person for the time being by law permitted to make a solemn affirmation or declaration instead of taking an oath, may, instead of taking and subscribing the oath hereby appointed, make and subscribe a solemn affirmation in the form of the oath hereby appointed, substituting the words "solemnly, sincerely, and truly declare and affirm," for the word "swear," and omitting the words "So help me God;" and the making and subscribing such affirmation with such substitution as aforesaid by a person hereby authorized to make and subscribe the same shall have the same effect as the making and subscribing by other persons of the oath hereby appointed.

8. This Act may be cited for all purposes as "The Office and Oath Act, 1867."

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*ACT of the British Parliament, to amend The Tyne Pilotage Order Confirmation Act, 1865.\**

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[30 & 31 Vict., cap. 78.]

[August 12, 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. The schedule to The (Tyne) Pilotage Order Confirmation

\* 28 & 29 Vic., cap. 44. See Page 1071.



Act, 1865, is hereby amended in manner expressed in the schedule to this Act.

2. This Act may be cited as The Tyne Pilotage Amendment Act, 1867.

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(ANNEX.)—SCHEDULE.

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*ACT of the British Parliament, to amend the Law relating to the  
Registration of Ships in British Possessions.*

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[31 & 32 Vict., cap. 129.]

[July 31, 1868.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The governor or officer lawfully administering the government of any British possession may from time to time, with the approval of one of Her Majesty's Principal Secretaries of State, make regulations providing that on an application for registration under the Merchant Shipping Act, 1854,\* in that possession of any ship not exceeding 60 tons burden, the registrar may grant, in lieu of a certificate of registry as required by that Act, a certificate of registry to be terminable at the end of 6 months from the granting thereof, or of any longer period; and all certificates of registry granted under any such regulations shall be in such form and shall have effect subject to such conditions as the regulations prescribe.

2. Notwithstanding anything in the Merchant Shipping Act, 1854, or in any other Act, any ship to which a certificate is granted under any such regulations shall, while such certificate is in force, and in relation to all things done or omitted during that period, be deemed a registered British ship.

3. The governor of any British possession abroad may from time to time appoint fit and proper persons to be surveyors, who shall have and exercise within such possession all the powers with respect to the inspection of crew spaces that are conferred upon the Board of Trade surveyors in the United Kingdom by section 9 of the Merchant Shipping Act, 1867.

4. This Act shall be read as one Act with the Merchant Shipping Act, 1854, and the Acts amending the same.

5. This Act may be cited as the Colonial Shipping Act, 1868.

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\* See Vol. 9. Page 777.

## AUSTRIA.

TREATY of Navigation between Great Britain and Austria.\*  
Signed at Vienna, April 30, 1868.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Imperial and Royal Apostolic Majesty, on the other part, being equally animated by the desire of extending and promoting the facilities of navigation between their respective States and dominions, have resolved to conclude a Treaty for that purpose, and have named for their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Arthur Douglas, Baron Bloomfield of Oakhampton and Redwood, a Peer of Ireland, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Imperial and Royal Apostolic Majesty; and Louis Mallet, Esquire, Companion of the Most Honourable Order of the Bath, Assistant-Secretary to the Committee of Her Majesty's Most Honourable Privy Council for Trade and Foreign Plantations;

And His Imperial and Royal

IHRE Majestät die Königin des vereinigten Königreichs von Grossbritannien und Irland, auf der eine Seite, und Seine Kaiserlich-Königlich Apostolische Majestät auf der anderen Seite, von dem Wunsch beseelt die zwischen Ihren beiderseitigen Staaten und Besitzungen bestehenden Schiffahrts-Beziehungen wechselseitig zu erleichtern und auszudehnen, haben beschlossen einen Vertrag zu diesem Zwecke einzugehen, und haben zu Ihren Bevollmächtigten ernannt, nämlich:

Ihre Majestät die Königin des vereinigten Königreichs von Grossbritannien und Irland, den sehr ehrenwerthen Johann Arthur Douglas Baron Bloomfield von Oakhampton und Redwood, Pair von Irland, Mitglied Ihrer Brittischen Majestät höchst ehrenwerthen Geheimraths, Grosskreuz des höchst ehrenwerthen Bath-Ordens, Allerhöchst Ihren ausserordentlichen und bevollmächtigten Botschafter bei Seiner Kaiserlich-Königlich Apostolischen Majestät; und den Herrn Louis Mallet, Esquire, Ritter des höchst ehrenwerthen Bath-Ordens, beigeordneten Sekretär des Comité's Ihrer Majestät höchst ehrenwerthen Geheimraths für den Handel und auswärtigen Pflanzstätten;

Seine Kaiserlich-Königliche

\* Ratifications exchanged at Vienna, June 26, 1868.

Apostolic Majesty, Frederic Ferdinand Baron Beust, His Majesty's Privy Councillor, Chancellor of the Empire, and Minister of the Imperial House and of Foreign Affairs, Grand Cross of the Orders of St. Stephen and Leopold ;

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles :

ART. I. British ships and their cargoes in all the dominions of His Imperial and Royal Apostolic Majesty, and ships belonging to the citizens of the Imperial and Royal States and their cargoes in all the dominions of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, from whatever place arriving and whatever may be their place of destination, and whatever may be the place of origin or destination of their cargoes, shall be treated in every respect as national ships and their cargoes.

Every favour or exemption in these respects, or any other privilege in matters of navigation, which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

It is, however, agreed that this stipulation shall not be applicable to the national fisheries of either of the two countries.

Apostolische Majestät, den Herrn Friedrich Ferdinand Freiherrn von Beust, Allerhöchst Ihren Geheimen Rath, Reichskanzler und Minister des Hauses und der Auswärtigen Angelegenheiten, Grosskreuz des St. Stefan- und des Leopold-Ordens ;

Welche, nach gegenseitiger Mittheilung ihrer in guter und gehöriger form befundenen Vollmachten, die nachstehenden Artikel vereinbart und abgeschlossen haben :

ART. I. Brittische Schiffe und deren Ladungen sollen in allen Besitzungen Seiner Kaiserlich-Königlich Apostolischen Majestät, und Schiffe von Angehörigen der Staaten Seiner Kaiserlich-Königlich Apostolischen Majestät und deren Ladungen in allen Besitzungen Ihrer Majestät der Königin des vereinigten Königreichs von Grossbritannien und Irland, gleichviel woher die Schiffe kommen, oder wohin sie gehen, und woher die Ladungen kommen, oder wohin sie bestimmt sind, in jeder Beziehung wie die einheimischen Schiffe und deren Ladungen behandelt werden.

Jede Begünstigung oder Befreiung in dieser Beziehung, so wie jedes andere die Schifffahrt betreffende Privilegium, welches einer der vertragenden Theile einer dritten Macht gewähren würde, soll augenblicklich und bedingungslos auf den anderen Theil ausgedehnt werden.

Man ist jedoch darüber einverstanden, dass diese Bestimmung auf die nationale Fischerei beider Theilen keine Anwendung finden soll.

II. The stipulations contained in the preceding Article are also to be applied to the colonies and foreign possessions of Her Britannic Majesty, as well as to the ships and cargoes of the same; but, as regards the Coasting Trade, only in those colonies and foreign possessions the coasting trade of which shall have been, or shall be hereafter, opened to foreign ships in conformity with the Acts of Parliament which govern this matter.

The foreign possessions and colonies of Her Britannic Majesty, the Coasting Trade of which has been already so opened to foreign ships, and in which, therefore, ships belonging to the citizens of the Imperial and Royal States are placed on the national footing, are:

British India, Ceylon, Cape of Good Hope, Victoria, St. Lucia.

III. If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked, or meet with any casualty upon the coasts of the other, the same aid and assistance shall be rendered to it, and to the cargo, apparel, and furniture thereof, as to a national vessel; and in such case no other expenses shall be paid by the owners or their agents and representatives for the preservation of the property or of the lives of the persons on board the ship, than would be payable in the like case of a wreck of or casualty to a national vessel.

II. Die in dem vorstehenden Artikel enthaltenen Bestimmungen finden auch auf die Kolonien und auswärtigen Besitzungen Ihrer Brittischen Majestät, sowie auf deren Schiffe und Ladungen Anwendung, jedoch was die Küstenschiffahrt betrifft, nur in jenen Kolonien und auswärtigen Besitzungen deren Küstenschiffahrt in Gemässheit der über den Gegenstand ergangenen Parlamentsakten fremden Schiffen geöffnet ist, oder in Zukunft eröffnet werden sollte.

Die auswärtigen Besitzungen und Kolonien Ihrer Britischen Majestät deren Küstenschiffahrt fremden Schiffen bereits geöffnet wurde, und in welchen desshalb Schiffe von angehörigen der Kaiserlich-Königlichen Staaten, wie die eigenen behandelt werden, sind:

Brittisch Indien, Ceylon, Cap der Guten Hoffnung, Victoria, St. Lucia.

III. Wenn ein Kriegs oder Handelsschiff eines der beiden vertragenden Theile an den Küsten des anderen Schiffbruch oder Havarie oder irgend einen Unfall erleiden sollte, so soll ihm, so wie seiner Ladung, seinen Geräthen, und seiner Ausrüstung derselbe Schutz und Beistand geleistet werden, wie einem einheimischen Schiffe; auch sollen in einem solchen Falle von den Eigenthümern, deren Bevollmächtigten oder Vertretern für die Sicherung ihres Eigenthums oder des Lebens der an Bord befindlichen Personen keine anderen Kosten zu bezahlen sein, als in dem ent-



In case the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray any salvage expenses, no impediment shall be opposed by the authorities, the master being bound, however, to conform to the existing regulations and tariffs.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs, unless cleared for consumption.

The respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master, or other agent of the owner, is not present, or is present and requires it, or is bound by the laws of his country to accept Consular assistance, be authorized to interpose in order to afford the necessary assistance to those concerned.

IV. The Consuls-General, Consuls, Vice-Consuls, and Consular Agents, of each of the Contracting Parties residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

V. All vessels which according to British law are to be

sprechenden Falle des Schiffbruches oder des Unfalles eines einheimischen Schiffes zu zahlen sein würden.

Sollte der Führer eines Handelsschiffes genöthigt sein, einen Theil seiner Ladung zur Deckung von Rettungskosten zu verkaufen, so soll ihm von Seite der Behörden kein Hinderniss in den Weg gelegt werden; der Führer ist jedoch zur Beachtung der bestehenden Vorschriften und Tarife verpflichtet.

Die von dem Wrak geborgenen Güter und Waaren sollen, sofern sie nicht in den Verbrauch übergehen, von jeder Zollabgabe frei sein.

Wenn der Eigenthümer oder der Schiffsführer, oder ein anderer Bevollmächtigter des Eigenthümers nicht gegenwärtig ist, oder gegenwärtig ist, und es wünscht, oder zur Annahme des Consular-Beistandes durch seine Heimathsgesetzgebung verpflichtet ist, sollen die beiderseitigen General-Consuln, Vice-Consuln, oder Consular-Agenten befugt sein, die Gewährung des erforderlichen Beistandes an die Betheiligten zu vermitteln.

IV. Den General-Consuln, Consuln, Vice-Consuln, und Consular-Agenten jedes der vertragenden Theile, welche in dem Gebiete und den Besitzungen des anderen ihren Sitz haben, soll von den Ortsbehörden jeder gesetzlich zulässige Beistand zur Einbringung der von den Schiffen ihres Landes desertirten Personen geleistet werden.

V. Alle Schiffe welche nach Brittischen Gesetzen als Brit-

deemed British vessels, and all vessels which, according to the laws prevailing in the States of His Imperial and Royal Apostolic Majesty, are to be deemed vessels belonging to the subjects of His Imperial and Royal Apostolic Majesty, shall, for the purposes of this Treaty, be respectively deemed British vessels, and vessels belonging to the citizens of the Imperial and Royal States.

VI. The present Treaty shall remain in force from the exchange of the ratifications thereof until the 31st December, 1877; and in case neither of the High Contracting Powers shall have notified to the other 12 months before the expiration of the said period, the intention to put an end to its operation, the Treaty shall continue in force for another year, and so on from year to year, until the expiration of a year, counting from the day on which one or other of the High Contracting Parties shall have announced its intention to put an end to it.

VII. The present Treaty shall be ratified, and the ratifications shall be exchanged at Vienna, within 8 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

tische Schiffe, und alle Schiffe welche nach den Gesetzen der Staaten Seiner Kaiserlich-Königlichen Apostolischen Majestät als Schiffe von angehörigen dieser Staaten anzusehen sind, sollen in allen Beziehungen dieses Vertrages als Britische, beziehungsweise als Schiffe von angehörigen der Kaiserlich-Königlichen Staaten gelten.

VI. Gegenwärtiger Vertrag soll vom Tage der Auswechslung der Ratifikationen desselben bis zum 31 December, 1877, in Kraft bleiben, und falls kein der hohen kontrahirenden Mächte der anderen zwölf Monate vor Ablauf des besagten Zeitraums die Absicht kundgegeben haben wird, die Wirksamkeit des Vertrages aufhören zu lassen, soll der Vertrag für ein weiteres Jahr in Wirksamkeit bleiben, und sofort von Jahr zu Jahr bis zum Ablaufe eines Jahres, von dem Tage an gerechnet, an welchem der eine oder der andere der hohen kontrahirenden Theile seine Absicht kundgemacht haben wird, der Wirksamkeit desselben ein Ende zu setzen.

VII. Gegenwärtiger Vertrag soll ratifizirt, und es sollen die Ratifications-Urkunden in Wien, binnen acht Wochen, oder wenn möglich früher, ausgewechselt werden.

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten denselben unterzeichnet und ihre Siegel beigesdrückt.

Done at Vienna, this 30th  
day of April, in the year of  
our Lord, 1868.

So geschehen zu Wien, am  
30 Tage des Monats April, im  
Jahre des Heiles Achtzehn-  
hundert sechzig und acht.

(L.S.) BLOOMFIELD.  
(L.S.) LOUIS MALLET.

(L.S.) BEUST.

BRITISH ORDER IN COUNCIL, *making certain Alterations in the Regulations appended to the Order in Council of 9th January, 1863,\* relative to Collisions at Sea.* July 30, 1868.

*At the Court at Osborne House, Isle of Wight, the 30th day of July, 1868.*

PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Merchant Shipping Act Amendment Act, 1862,"† it was enacted, that on and after the 1st day of June, 1863, or such later day as might be fixed for the purpose by Order in Council, the regulations contained in the table marked C in the schedule to the said Act should come into operation and be of the same force as if they were enacted in the body of the said Act; but that Her Majesty might from time to time, on the joint recommendation of the Admiralty and the Board of Trade, by Order in Council, annul or modify any of the said regulations, or make new regulations in addition thereto or in substitution therefor; and that any alterations in, or additions to, such regulations made in manner aforesaid should be of the same force as the regulations in the said schedule.

And whereas by the same Act it was further provided, that whenever it should be made to appear to Her Majesty that the Government of any foreign country is willing that the regulations for preventing collisions contained in Table C in the schedule to the said Act, or such other regulations for preventing collision as are for the time being in force under the said Act, should apply to the ships of such country when beyond the limits of British jurisdiction, Her Majesty might, by Order in Council, direct that such regulations shall apply to the ships of the said foreign country, whether within British jurisdiction or not; and it was further provided by the said Act, that whenever an Order in Council had been issued, applying any regulation made by or in pursuance of the said Act to the ships of any foreign country, such ships should, in all cases arising in any British court, be deemed to be subject to such regulation, and should, for the purpose of such regulation, be treated as if they were British ships.

And whereas, by an Order in Council made in pursuance of

\* See Vol. 11. Page 219.

† See Page 1004.

the said recited Act, and dated the 9th day of January, 1863, Her Majesty was pleased to direct :—First, that the regulations contained in the schedule to the said Act should be modified by the substitution for such regulations of certain regulations appended to the said Order.

Secondly, that the said regulations appended to the said Order should, on and after the 1st day of June, 1863, apply to French ships, whether within British jurisdiction or not.

And whereas by several Orders in Council subsequently made, Her Majesty has been pleased to direct that the regulations appended to the said Order of the 9th of January, 1863, shall apply to ships of the following countries, whether within British jurisdiction or not; that is to say :—Austria, Argentine Republic, Belgium, Brazil, Bremen, Chile, Denmark Proper, Equator (Republic of the), France, Great Britain, Greece, Hamburg, Hanover, Hawaiian Islands, Hayti, Italy, Lubeck, Mecklenburg-Schwerin, Morocco, Netherlands, Norway, Oldenburg, Peru, Portugal, Prussia, Roman States, Russia, Schleswig, Spain, Sweden, Turkey, United States sea-going ships, United States inland waters, Uruguay.

And whereas Articles XI and XIII of the said regulations appended to the said recited Order of the 9th of January, 1863, are as follows; that is to say :

Article XI. "If two sailing ships are meeting end on, or nearly end on, so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other."

Article XIII. "If two ships under steam are meeting end on or nearly end on, so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other."

And whereas there has been doubt or misapprehension concerning the effect of the said two Articles.

And whereas the Admiralty and the Board of Trade have jointly recommended to Her Majesty to make the following additions to the said regulations, for the purpose of explaining the said recited Articles and of removing the said doubt and misapprehension.

Now, therefore, Her Majesty, by virtue of the powers vested in her by the said recited Act and by and with the advice of her Privy Council, is pleased to make the following additions to the said regulations, by way of explanation of the said two recited Articles, that is to say :

The said two Articles numbered XI and XIII respectively, only apply to cases where ships are meeting end on, or nearly end on, *in such a manner as to involve risk of collision*. They, consequently, do not apply to two ships which must, if both keep on their respective courses, pass clear of each other.



The only cases in which the said two Articles apply, are, when each of the two ships is end on, or nearly end on, to the other; in other words, to cases in which, *by day*, each ship sees the masts of the other in a line, or nearly in a line, with her own; and, *by night*, to cases in which each ship is in such a position as to see both the side lights of the other.

The said two Articles do not apply, *by day*, to cases in which a ship sees another *ahead* crossing her own course; or, *by night*, to cases where the red light of one ship is opposed to the red light of the other; or where the green light of one ship is opposed to the green light of the other; or where a red light without a green light, or a green light without a red light, is seen ahead; or where both green and red lights are seen anywhere but ahead.

ARTHUR HELPS.

## BELGIUM.

ACT of the British Parliament, to amend the Law relating to the Duties and Drawbacks on Sugar.

[30 Vict., cap. 10.]

[April 5, 1867.]

WHEREAS by a Convention between Her Majesty, the King of the Belgians, the Emperor of the French, and the King of the Netherlands, signed at Paris the 8th day of November, 1864,\* certain Articles were entered into between the said High Contracting Parties with reference to the duties and drawbacks on sugar, which it is thereby stipulated shall be regulated according to the proportions mentioned therein, and also in a certain declaration of the Plenipotentiaries of the said High Contracting Parties made at Paris the 20th day of November, 1866,† and for the period and in the manner mentioned in the said Convention:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. On and after the 1st day of May, 1867, in lieu of the duties of customs now charged on the under-mentioned articles, the following duties of customs shall be charged thereon, on importation into Great Britain or Ireland (that is to say):

Sugar, viz. : £ s. d.

Candy, brown or white, refined sugar, or sugar rendered by any process equal in quality thereto, and manufactures of refined sugar

the cwt. 0 12 0

\* See Page 119.

† See Page 216.

Sugar, not equal to refined, viz.:						£	s.	d.
First class	..	..	..	..	the cwt.	0	11	3
Second class	..	..	..	..	the cwt.	0	10	6
Third class	..	..	..	..	the cwt.	0	9	7
Fourth class, including cane juice	..	..	..	..	the cwt.	0	8	0
Molasses	..	..	..	..	the cwt.	0	3	6

2. On and after the 1st day of May, 1867, in lieu of the drawbacks now allowed thereon, the following drawbacks shall be paid and allowed on the under-mentioned descriptions of sugar refined in Great Britain or Ireland on the exportation thereof to foreign parts, or on removal to the Isle of Man for consumption there, or on deposit in any approved warehouse, upon such terms and subject to such regulations as the Commissioners of Customs may direct for delivery from such warehouse as ship's stores only, or for the purpose of sweetening British spirits in bond (that is to say):

Upon refined sugar in loaf, complete and whole, or						£	s.	d.
lumps duly refined, having been perfectly clarified and thoroughly dried in the stove, and being of an uniform whiteness throughout; and upon such sugar pounded, crushed, or broken in a warehouse approved by the Commissioners of Customs, such sugar having been there first inspected by the officers of Customs in lumps or loaves as if for immediate shipment, and then packed for exportation in the presence of such officers, and at the expense of the exporter; and upon candy and also upon sugar refined by the centrifugal or by any other process, and not in any way inferior to the export standard sample No. 1, approved by the Lords of the Treasury						0	12	0
.. .. . for every cwt.								
Upon refined sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the export standard sample No. 2, approved by the Lords of the Treasury, and which shall not contain more than 5 per cent. of moisture over and above what the same would contain if thoroughly dried in the stove						£	s.	d.
.. .. . for every cwt.						0	11	5
Upon other refined sugar unstoved, being Bastard's or pieces, ground, powdered, or crushed:								
— Not in any way inferior to the export standard sample No. 3, approved by the Lords of the Treasury						0	11	3
.. .. . for every cwt.								
— Not in any way inferior to the export standard sample No. 4, approved by the Lords of the Treasury						0	10	6
.. .. . for every cwt.								

- Not in any way inferior to the export standard £ s. d.  
 sample No. 5, approved by the Lords of the  
 Treasury .. .. . for every cwt. 0 9 7
- Inferior to the above last-mentioned standard  
 sample .. .. . for every cwt. 0 8 0

3. For facilitating the due assessment of the duties and the allowance of drawbacks on sugar with reference to colour, grain, or saccharine matter, considered collectively as they affect the general quality of the sugar, the Commissioners of Customs shall provide and renew from time to time one or more sample or samples of each of the respective qualities according to which sugar may be chargeable with duty upon importation into Great Britain or Ireland, and according to which the several rates of drawback shall be allowed as specified herein on the respective descriptions of refined sugar on the exportation or removal or deposit thereof in warehouse, such samples to be approved by the Lords Commissioners of Her Majesty's Treasury, and when so approved shall be deemed to be standard samples for the purpose of assessing the duty upon sugar, or for allowing the drawback thereon, according as it may be equal to any of such samples on comparison therewith by the proper officer of Customs; and no sugar shall be chargeable with the duty payable, nor shall any drawback be allowed, in respect of any particular quality or description of sugar in respect of which a sample for assessing the duty or allowing the drawback, as the case may be, is provided as aforesaid, unless such sugar shall be equal to such sample.

4. On and after the 1st day of May, 1867, in lieu of the duties of Excise now chargeable on sugar made in the United Kingdom, the following duties of Excise shall be charged thereon (that is to say):

Candy, brown or white, refined sugar, or sugar ren-	£	s.	d.
dered by any process equal in quality thereto,			
and manufactures of refined sugar .. the cwt.	0	12	0
Sugar not equal to refined, according to the			
standard samples approved by the Lords of the			
Treasury for assessing the duties of Customs on			
sugar imported into the United Kingdom, viz.:			
First class .. .. . the cwt.	0	11	3
Second class .. .. . the cwt.	0	10	6
Third class .. .. . the cwt.	0	9	7
Fourth class .. .. . the cwt.	0	8	0
Molasses .. .. . the cwt.	0	3	6

5. On and after the 1st day of May, 1867, in lieu of the duties of Excise now chargeable for and upon every cwt. (and so in proportion for any greater or less quantity than a cwt.) of all sugars which shall be used by any brewer of beer for sale

in the brewing or making of beer, there shall be charged and paid the Excise duty of 3s. 6d.

6. All the powers, provisions, clauses, regulations, forfeitures, pains, and penalties contained in or imposed by any Act or Acts relating to any duties of the same kind or description as the several duties granted by this Act, and in force at the time of the passing of this Act, and not hereby expressly repealed, shall be in full force and effect with respect to the duties granted by this Act respectively, so far as the same are or shall be applicable, in all cases not hereby expressly provided for, and shall be observed, applied, enforced, and put in execution for and in the raising, levying, collecting, and securing such duties, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express provisions of this Act, as fully and effectually to all intents and purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the duties granted by this Act respectively.

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## BRAZIL.

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*ACT of the British Parliament, to legalize certain Marriages solemnized at Morro Velho in Brazil.*

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[30 & 31 Vict., cap. 93.]

[August 12, 1867.]

WHEREAS the Saint John Del Rey Mining Company have erected a chapel at their establishment at Morro Velho in the Empire of Brazil, and have maintained there a chaplain licensed by the Lord Bishop of London:

And whereas the said chaplain has solemnized in the said chapel according to the rites and ceremonies of the United Church of England and Ireland divers marriages between persons, one or both of whom was or were British subjects:

And whereas doubts are entertained as to the validity of such marriages, and it is expedient to remove such doubts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. All marriages (both or one of the parties to such marriages being subjects or subject of this realm) which prior to the 1st of January, 1868, may have been solemnized in manner aforesaid at the said chapel at Morro Velho shall be as valid in law as if the same had been solemnized within Her Majesty's dominions with a due observance of all forms required by law.

2. The chaplain of the chapel shall, immediately after the 1st of January, 1868, send to Her Majesty's Consul at Rio



Janeiro the register book kept at the said chapel, with a certificate under his hand and seal that all marriages which have been celebrated in the said chapel as aforesaid have been duly entered therein, and also a copy of the register book certified in like manner to be a true copy. Such copy shall be sent by the Consul to the Registrar-General in England, and the original shall be kept by the Consul with the marriage register books of his Consulate; and such original and copy register book shall be deemed to be marriage register books of the British Consulate of Rio Janeiro, within the meaning of the Acts in that behalf made.

3. This Act may be cited for all purposes as "The Morro Velho Marriage Act, 1867."

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## CHINA.

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BRITISH ORDER IN COUNCIL, *extending the Jurisdiction of the Supreme Court at Hong Kong, and providing for the better Government of Her Majesty's Subjects in that Colony. March 28, 1868.*

*At the Court at Windsor, the 28th day of March, 1868.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament passed in the 7th year of Her Majesty's reign,\* intituled "An Act for the better Government of Her Majesty's Subjects resorting to China," it is (amongst other things) enacted that it shall be lawful for Her Majesty, by any Order or Orders made with the advice of Her Majesty's Privy Council, to ordain, for the government of Her Majesty's subjects being within the dominions of the Emperor of China, or being within any ship or vessel at a distance of not more than 100 miles from the coast of China, any law or ordinance which to Her Majesty may seem meet, as fully and effectually as any such law or ordinance could be made by Her Majesty in Council for the government of Her Majesty's subjects being within the Island of Hong Kong:

And whereas Her Majesty was pleased, by and with the advice of Her Privy Council, by Order in Council of the 9th day of March, 1865,† to ordain (amongst other things) that when a British subject, being after the commencement of that Order in Hong Kong, should be charged with having committed any such crime or offence as therein mentioned within a British vessel at a distance of not more than 100 miles from the coast of China, or within a Chinese or Japanese vessel at such a distance as aforesaid, or within a vessel not lawfully entitled to claim the protection of the flag of any State at such a dis-

\* See Vol. 6. Page 271.

† See Page 281.

tance as aforesaid, the Supreme Court at Hong Kong should have and might exercise authority and jurisdiction with respect to the crime or offence as fully as if it had been committed in Hong Kong, and that, save as expressly provided by the said Order, all jurisdiction, power, and authority of the Supreme Court of Hong Kong exercisable in relation to British subjects resident in or resorting to China or Japan should absolutely cease :

And whereas it has seemed to Her Majesty, by and with the advice of her Privy Council, to be expedient to extend the jurisdiction of the Supreme Court of Hong Kong in respect to matters arising in the neighbourhood of the colony of Hong Kong :

Now, therefore, Her Majesty, by virtue of the powers in this behalf by the said recited Act, or otherwise, vested in her, is pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered, as follows :

1. In addition to the powers now vested in the said Supreme Court of Hong Kong, the said Supreme Court may have jurisdiction over and take cognizance of all crimes and offences committed by British subjects at any place on land being within 6 miles of any part of the colony of Hong Kong, and not being on the mainland of China, and of and over all disputes and differences between British subjects being in any such place within such limit as aforesaid; and the said court shall and may deal with, try, hear, and determine all such cases as fully and effectually as if such crimes or offences had been committed, or such disputes or differences had arisen by or between British subjects within the said colony of Hong Kong.

2. The said Order in Council of the 9th day of March, 1865, shall, except so far as it is affected by this Order in Council, remain in full force and effect.

And the Most Noble the Duke of Buckingham and Chandos, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ARTHUR HELPS.

**BRITISH ORDER IN COUNCIL**, *containing a Table of the Fees to be taken by British Consuls in China and Japan.* June 19, 1868.

*At the Court at Windsor, the 19th day of June, 1868.*

PRESENT : THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President, Duke of Buckingham and Chandos, Lord Steward, Mr. Disraeli.

WHEREAS by the 4th section of the Act of the 6th year of

the reign of King George IV, chapter 87,\* intituled "An Act to regulate the payment of salaries and allowances to British Consuls at foreign ports, and the disbursements at such ports for certain public purposes," it is amongst other things enacted "That it shall and may be lawful for all Consuls-General and Consuls appointed by His Majesty and resident within the dominions of any Sovereign or any foreign State or Power in amity with His Majesty, to accept, take, and receive the several fees particularly mentioned in the tables to the said Act annexed, for and in respect or on account of the several matters and things, and official acts and deeds, particularly mentioned in the said schedules; and that it shall and may be lawful for His Majesty, by an Order or Orders to be by him made, by and with the advice of his Privy Council from time to time, as occasion may require, to increase or diminish, or wholly to abolish all or any of the fees aforesaid, and to establish and authorize the payment of any greater or smaller, or new or additional fees or fee for or in respect of the several matters and things mentioned in the said schedules, or in any of them, or for or in respect of any other matters or things, or matter or thing, to be by any such Consul-General or Consul done or performed in the execution of such his office:"

And whereas by an Order in Council made on the 1st of May, 1855,† it was ordered that certain fees mentioned in the table thereunto annexed should be taken; and whereas it is expedient to abolish those fees so far as regards fees to be levied by Her Majesty's Consular officers in China and Japan, and to establish and authorize the payment of other fees in lieu thereof: Now, therefore, in pursuance of the said Act, and in execution of the powers in Her Majesty in Council in that behalf vested by the said Act, it is hereby ordered by Her Majesty, by and with the advice of her Privy Council, that the several fees mentioned in the table annexed to the Order in Council of the 1st of May, 1855, shall be abolished as regards fees to be levied by Her Majesty's Consular officers in China and Japan: and that the several fees mentioned in the table hereunto annexed, for the several matters mentioned therein, shall be substituted for the fees so abolished, and shall and may be taken by Her Majesty's Consular officers in China and Japan.

And the Right Honourable Lord Stanley, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

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\* See Vol. 4. Page 172.

† See Vol. 10. Page 306.

**PART I.—Fees to be taken in respect of Matters in which the Consul's interposition is required by Law.**

Matter in respect of which the Fee is to be taken.	Fee.
	dols. c.
For every Declaration made before the Consul in Forms B, C, F, G, H, and L, in the schedule to the Merchant Shipping Act, 1854, with a view to the registry, transfers, and transmission of ships, interests in ships, or mortgages on ships .. .. .	1 0
For indorsing a memorandum of change of master upon the certificate of registry .. .. .	0 50
For granting a provisional certificate of registry. (This fee to be exclusive of fees on declarations) .. .. .	2 50
For recording a mortgage of a ship or shares in a ship made under a certificate of mortgage .. .. .	2 50
For recording the transfer of a mortgage of a ship or shares in a ship made under a certificate of mortgage .. .. .	1 50
For recording the discharge of a mortgage of a ship or shares in a ship made under a certificate of mortgage .. .. .	2 0
For every sale of a ship or shares in a ship made before the Consul under a certificate of sale .. .. .	2 50
For inspection of the register book of transactions in ships .. .. .	0 25
For every seaman engaged before the Consul .. .. .	0 50
For every alteration in agreements with seamen made before the Consul .. .. .	0 50
For every seaman discharged or left behind with the Consul's sanction .. .. .	0 50
For every desertion certified by the Consul .. .. .	0 50
For attesting a seaman's will .. .. .	0 50
For examination of provisions or water, to be paid by the party who proves to be in default .. .. .	2 50
For every salvage bond made in pursuance of 17 and 18 Vict., cap. 104, sec. 488, to be paid by the master or owner of the property salvaged .. .. .	10 0
On disbursements in respect of distressed seamen, a commission of.	2½ per cent.

**PART II.—Fees to be taken in respect of Matters in which the Consul's interposition is to be given only when required by the Parties interested.**

Matter in respect of which the Fee is to be taken.	Fee.
	dols. c.
For noting a protest, with certified copy if required .. .. .	1 0
For order of survey, with certified copy if required .. .. .	1 0
For extending a protest or survey, with certified copy if required .. .. .	5 0
And if it exceeds 200 words, for every additional 100 words .. .. .	0 50
For preparing and attesting bottomry or arbitration bond .. .. .	5 0



Matter in respect of which the Fee is to be taken.	Fee.
	dols. c.
For attesting bottomry or arbitration bond not prepared by Consul	1 0
For attendance out of Consular Office at a shipwreck, or for the purpose of assisting a ship in distress, or of saving wrecked goods or property, over and above travelling expenses per diem	5 0
For attending valuation of goods, if under 200 <i>l.</i> in value	2 50
For attending valuation of goods if 200 <i>l.</i> and upwards in value, for every day's attendance during which the valuation continues	5 0
For attending sale of goods if the purchase money is under 200 <i>l.</i>	5 0
For attending sale of goods if the purchase money is 200 <i>l.</i> or upwards, for every day during which the sale continues	10 0
Certificate of due landing of goods exported from the United Kingdom	2 0
Bill of Health	2 50
Visé of Passport	0 50
Opening of Will of a British subject, not being a seaman	5 0
Management of property of a British subject, not being a seaman, dying intestate, a commission of 2½ per cent.	2½ per cent
Registration of documents or other matters	0 50
And if exceeding 100 words, for every additional 100 words	0 10
For every certified copy of a document not before mentioned	0 50
And if it exceeds 100 words, for every additional 100 words	0 10
For administering an oath or declaration, including attestation of signature, if required	0 50
For attesting a signature	0 50
For annexing the seal of office and signature to any document not mentioned in, or otherwise provided for, by this Table	1 0

NOTE 1.—No fee is to be taken for the custody of or indorsement on ship's articles and papers deposited with the Consul in pursuance to "The Merchant Shipping Act, 1854," sect. 279.

NOTE 2.—Where any fee is fixed by the foregoing tables for any particular act or transaction, no additional fee is to be demanded for signature, attestation, or annexing seal of office

## COLUMBIA.

BRITISH ORDER IN COUNCIL, *for the Apprehending and Delivering up of Seamen Deserters from the Merchant Vessels of the United States of Columbia, in the British Dominions.* December 28, 1866.

*At the Court at Osborne House, Isle of Wight, the 28th day of December, 1866.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Foreign Deserters' Act, 1852,"\* it is provided, that whenever it is made to appear to Her Majesty

\* See Vol 9. Page 347.

that due facilities are or will be given for recovering or apprehending seamen who desert from British merchant-ships in the territories of any Foreign Power, Her Majesty may, by Order in Council, stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant-ships belonging to such Power, when within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient; and whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant-ships in the territories of the United States of Columbia:

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said "Foreign Deserters' Act, 1852," and by and with the advice of the Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that, from and after the publication hereof in "The London Gazette," seamen, not being slaves, and not being British subjects, who within Her Majesty's dominions desert from merchant-ships belonging to the United States of Columbia, shall be liable to be apprehended and carried on board their respective ships:

Provided always that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent court, and until his sentence, any, has been fully carried into effect.

And the Right Honourable the Earl of Carnarvon, the Right Honourable the Viscount Cranborne, and the Right Honourable Spencer Horatio Walpole, 3 of Her Majesty's Principal Secretaries of State, are to give the necessary directions herein accordingly.

EDMUND HARRISON.

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## FRANCE.

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PROTOCOL of Conference, between Great Britain and France, respecting the duration of the Convention of July 1, 1861,\* relative to the Emigration of Labourers from India. London, July 31, 1865.

As there has not been time, on account of the period required for the necessary communications with India, sufficiently to study the questions raised by the Convention of the 1st of July, 1861, between Great Britain and France, it has been agreed between the Undersigned, authorized by their respective Governments, that a delay of 4 months is acknowledged to be necessary for the study and discussion of the questions to

\* See Vol. 11. Page 203.

be solved, and that the two Governments extend until the 30th November, 1865, for each of them, the power of giving notice for the determination of the Convention, under the same conditions and with the same effect as if such notice had been given on the 31st July, 1865.

RUSSELL.  
BARON BAUDE.

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PROTOCOL of Conference between Great Britain and France, respecting the duration of the Convention of July 1, 1861,\* relative to the Emigration of Labourers from India. Foreign Office, London, November 30, 1865.

As the period of 4 months fixed for giving notice for the termination of the Convention of the 1st of July, 1861, between Great Britain and France, will expire this day, the 30th of November, 1865, and as, on account of the time required for communication with India, that period has not been found sufficient for the study of the questions raised by the Convention, the Governments of Great Britain and of France have come to an understanding as to the expediency of again extending for 4 months the period already arranged. The Undersigned, in the name of their respective Governments, have in consequence agreed to extend until the 31st of March, 1866, inclusive, for each of them, the power of giving notice for the termination of the Convention under the same conditions and with the same effect as if such notice had been given on this day, the 30th of November, 1865.

CLARENDON.  
LA TOUR D'AUVERGNE.

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CONVENTION between Great Britain and France, relative to Fisheries in the Seas between Great Britain and France.† Signed in the English and French Languages, at Paris, November 11, 1867.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, having charged a Mixed Commission with preparing a revision of the Convention of the 2nd of August, 1839,‡ and of the Regulation of June 23, 1843,§ relative to the fisheries in the seas situated between Great Britain and France; and the members of that Commission having agreed upon certain arrangements which experience has shown would be useful, and which appear to them such as will advantageously modify and complete the former arrangements in the common interest of the fishermen

\* See Vol. 11. Page 203. † Ratifications exchanged at Paris, January 14, 1868.

‡ See Vol. 5. Page 86.

§ See Vol. 6. Page 447.

of the two countries; their said Majesties have judged it expedient that the arrangements proposed by the said Commission should be sanctioned by a new Convention, and have for that purpose named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard Bickerton Pemell, Lord Lyons, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French;

And His Majesty the Emperor of the French, Leonel, Marquis de Moustier, Grand Cross of the Imperial Order of the Legion of Honour, &c., His Minister and Secretary of State for Foreign Affairs;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon and concluded the following Articles:

ART. I. British fishermen shall enjoy the exclusive right of fishery within the distance of 3 miles from low-water mark, along the whole extent of the coasts of the British islands; and French fishermen shall enjoy the exclusive right of fishery within the distance of 3 miles from low-water mark along the whole extent of the coast of France; the only exception to this rule being that part of the coast of France which lies between Cape Carteret and Point Meinga.

The distance of 3 miles fixed as the general limit for the exclusive right of fishery upon the coasts of the two countries shall, with respect to bays, the mouths of which do not exceed 10 miles in width, be measured from a straight line drawn from headland to headland.

The miles mentioned in the present Convention are geographical miles, whereof 60 make a degree of latitude.

II. It is agreed that the lines drawn between the points designated by the letters A, B, C, D, E, F, G, H, I, K, on the chart annexed to the present Convention, and signed by the respective Plenipotentiaries, shall be acknowledged by the High Contracting Parties, as defining from Point Meinga to Cape Carteret, the limits between which and the French shore the right of fishery shall be reserved exclusively to French fishermen, and these lines are as follows, that is to say:

The first line runs from the point A, 3 miles from low-water mark (Port Meinga bearing south) to the point B, of which the landmarks are Agon Tower, on with the clump of trees upon Mount Huchon, and the summit of Gros Mont in a line with the semaphore on Grand Isle.

The second line runs from the said point B towards Agon.



Tower and the clump of trees upon Mount Huchon, in the direction north 64 degrees east, until, at the point C, it brings the windmill of Lingreville to bear due east.

The third line runs from point C due east towards Lingreville windmill, until the Grand Huguenant is brought to bear on the Etat Rock at point D.

The fourth line runs from point D northward (keeping the Grand Huguenant in one with the Etat Rock), until it intersects at E a line whose landmarks are Agon Tower on with Coutances Cathedral.

The fifth line runs eastward from point E to point F where the steeple of Pirou is brought to bear in a line with the Sennequet Lighthouse.

The sixth line runs from point F due north to point G, where the steeple of Blainville is brought in a line with the Sennequet Lighthouse.

The seventh line runs from point G in the direction of Pirou steeple to point H, where the lighthouse on Cape Carteret bears north 24 degrees west.

The eighth line runs from point H to point I nearly abreast of Port Bail; point I having for landmarks the fort of Port Bail in a line with the steeple of Port Bail.

And finally, the ninth line runs from point I to the Three Grunes at point K, where Cape Carteret bears east 10 degrees north, in a line with Barneville steeple.

It is further agreed that all the bearings specified in the present Article are to be taken according to the true meridian and not according to the magnetic meridian.

III. The arrangements of the present Convention shall apply beyond the fishery limits of both countries, as defined by the preceding Articles, to the seas surrounding and adjoining Great Britain and Ireland, and adjoining the coasts of France between the frontiers of Belgium and Spain. The rules respecting oyster fishery shall, however, be observed only in the seas comprised within the limits hereinafter described.

IV. All British and French fishing-boats shall be lettered and numbered.

In the United Kingdom, there shall be a series of numbers for the fishing-boats belonging to each collectorship of Customs, and in France a series of numbers for the fishing-boats belonging to each district of maritime registry; and to these numbers shall be prefixed a letter (or letters) to be designated by the Board of Customs in the United Kingdom, and by the Ministry of Marine in France.

V. The letter (or letters) and number shall be placed on each bow of the boat, 3 or 4 inches (8 or 10 centimetres French) below the gunwale, and they shall be painted in white oil colour on a black ground.

For boats of 15 tons burthen and upwards, the dimensions of the letters and numbers shall be 18 inches (45 centimetres French) in height, and  $2\frac{1}{2}$  inches (6 centimetres French) in breadth.

For boats of less than 15 tons burthen, the dimensions shall be 10 inches (25 centimetres French) in height, and  $1\frac{1}{4}$  inch (4 centimetres French) in breadth.

The same letter (or letters) and number shall also be painted on each side of the mainsail of the boat, in black oil colour on white sails, and in white oil colour on tanned or black sails. Such letter (or letters) and number on the sails shall be one-third larger in every way than those placed on the bows of the boat.

The name of each fishing boat, and that of the port to which she belongs, shall be painted in white oil colour on a black ground on the stern of the boat, in letters which shall be at least 3 inches (8 centimetres French) in height, and half an inch (12 millimetres French) in breadth.

The letters, numbers, and names placed on the boats and on their sails shall not be effaced, covered, or concealed in any manner whatsoever.

VI. All the buoys, barrels and principal floats of each net, and all other implements of fishery, shall be marked with the same letter (or letters) and number as those of the boats to which they belong.

These letters and numbers shall be large enough to be easily distinguished. The owners of the nets or other fishing implements may further distinguish them by any private marks they judge proper.

VII. The letters and numbers of British fishing boats shall, after having been entered in the registry book kept at the collectorship of Customs, be inserted on the licences or other official papers of those boats.

The letters and numbers of French fishing boats shall, after having been entered in the registry book kept at the Maritime Registry Office, be inserted on the muster rolls of those boats.

VIII. The licences or other official papers of British fishing boats, and the muster rolls of French fishing boats, shall contain the description and tonnage of each boat, as well as the names of its owner and of its master.

IX. The fishermen of both countries shall, whenever required, exhibit their licences or other official papers, or their muster rolls, to the commanders of the fishery cruisers, and to all other persons of either country appointed to superintend the fisheries.

X. Fishing of all kinds, by whatever means and at all seasons, may be carried on in the seas lying beyond the fishery limits which have been fixed for the two countries, with the exception of that for oysters, as hereinafter expressed.

XI. From the 16th of June to the 31st of August inclusive, fishing for oysters is prohibited outside the fishery limits which have been fixed for the two countries, between a line drawn from the North Foreland Light to Dunkirk, and a line drawn from the Land's End to Ushant.

During the same period, and in the same part of the Channel, no boat shall have on board any oyster dredge, unless the same be tied up and sealed by the Customs authorities of one of the two countries in such a manner as to prevent its being made use of.

XII. No boat shall anchor between sunset and sunrise on grounds where drift-net fishing is actually going on.

This prohibition shall not apply to anchorings which may take place in consequence of accidents, or any other compulsory circumstances; but in such case the master of the boat thus obliged to anchor shall hoist, so that they shall be seen from a distance, two lights placed horizontally about 3 feet (one metre French) apart, and shall keep those lights up all the time the boat shall remain at anchor.

XIII. Boats fishing with drift nets shall carry on one of their masts two lights, one over the other, 3 feet (one metre French) apart.

These lights shall be kept up during all the time their nets shall be in the sea between sunset and sunrise.

XIV. Subject to the exceptions or additions mentioned in the two preceding Articles, the fishing boats of the two countries shall conform to the general rules respecting light which have been adopted by the two countries.

XV. Trawl boats shall not commence fishing at a less distance than 3 miles from any boat fishing with drift nets.

If trawl boats have already shot their nets, they must not come nearer to boats fishing with drift nets than the distance above-mentioned.

XVI. No boat fishing with drift nets shall shoot its nets so near to any other boat which has already shot its nets on the fishing ground, as to interfere with its operations.

XVII. No decked boat fishing with drift nets shall shoot its nets at a less distance than a quarter of a mile from any undecked boat which is already engaged in fishing.

XVIII. If the spot where fishing is going on should be so near to the fishery limits of one of the two countries that the boats of the other country would, by observing the regulations prescribed by Articles XV, XVI, and XVII preceding, be prevented from taking part in the fishery, such boats shall be at liberty to shoot their nets at a less distance than that so prescribed; but in such case the fishermen shall be responsible for any damage or losses which may be caused by the drifting of their boats.

XIX. Nets shall not be set or anchored in any place where drift net fishing is actually going on.

XX. No one shall make fast or hold on his boat to the nets, buoys, floats, or any part of the fishing tackle belonging to another boat.

No person shall hook or lift up the nets, lines, or other fishing implements, belonging to another person.

XXI. When nets of different boats get foul of each other, the master of one boat shall not cut the nets of another boat, except by mutual consent, and unless it be found impossible to clear them by other means.

XXII. All fishing boats, all rigging gear, or other appurtenances of fishing boats, all nets, buoys, floats, or other fishing implements whatsoever found or picked up at sea, shall, as soon as possible, be delivered to the Receiver of Wreck, if the article saved be taken into the United Kingdom, and to the Commissary of Marine if the article saved be taken into France.

The Receiver of Wreck or the Commissary of Marine, as the case may be, shall restore the articles saved to the owners thereof, or to their representatives.

These functionaries shall fix the amount which the owners shall pay to the salvors.

XXIII. The execution of the regulations concerning lights and signals, licences, muster rolls, and official papers, the lettering and numbering of boats and implements of fishing, is placed, with respect to the fishermen of each of the two nations, under the exclusive superintendence of the cruizers and agents of their own nations.

Nevertheless, the commanders of the cruizers of one of the two nations shall acquaint the commanders of the cruizers of the other nation with any infractions of the above-mentioned regulations committed by the fishermen of such other nation which may come to their knowledge.

XXIV. All infractions of the regulations concerning the placing of boats on the fishing ground, the distances to be observed between them, the prohibition of oyster fishing during a portion of the year, and concerning every other operation connected with the act of fishing, and more particularly concerning circumstances likely to cause damage, shall be taken cognizance of by the cruizers of either nation, whichever may be the nation to which the fishermen guilty of such infractions may belong.

XXV. The commanders of cruizers of either country shall exercise their judgment as to the causes of any infractions brought to their knowledge, or as to damage arising from any cause whatever, committed by British or French fishing boats in the seas beyond the fishery limits which have been fixed for the two countries; they may detain the offending boats and



take them into the port nearest the scene of the occurrence, in order that the infraction or damage may be there duly established, as well by comparing the declarations and counter-declarations of the parties interested, as by the testimony of those who were present.

XXVI. When the offence shall not be such as to require exemplary punishment, but shall nevertheless have caused damage to any fisherman, the commanders of the cruisers shall be at liberty, should the circumstances admit of it, to arbitrate at sea between the parties concerned. On refusal of the offenders to defer to their arbitration, the said commanders shall take both them and their boats into the nearest port, to be dealt with as stated in the preceding Article.

XXVII. Every fishing boat which shall have been taken into a foreign port in conformity with the two preceding Articles, shall be sent back to her own country for trial as soon as the infraction for which she may have been detained shall have been duly established. Neither the boat nor her crew shall, however, be detained in the foreign port more than 3 clear days.

XXVIII. The depositions, minutes of proceedings, and all other documents concerning the infraction, after having been authenticated by the Collector of Customs in the United Kingdom, or by the Commissary of Marine in France, shall be transmitted by that functionary to the Consular Agent of his nation residing in the port where the trial is to take place.

Such Consular Agent shall communicate those documents to the Collector of Customs, or to the Commissary of Marine, as the case may be; and if, after having conferred with that functionary, it shall be necessary for the interest of his countrymen, he shall proceed with the affair before the competent tribunal or magistrates of the country.

XXIX. In both countries the competent court or magistrate shall be empowered to condemn to a fine of at least 8s. (10 francs), or to imprisonment for at least two days, persons who may infringe the regulations of the Convention concerning:

1. The close season for oysters, and illegal possession of dredges on board during that season;
2. The letters, numbers, and names to be placed on the boats, sails, nets, and buoys;
3. The licences or muster rolls;
4. The flags and lights to be carried by the boats;
5. The distances to be observed by the boats between each other;
6. The placing and anchoring of vessels and boats;
7. The placing and shooting of nets and the taking them up;
8. The clearing of nets;

9. The placing of buoys upon nets.

In case of repetition of the offence, the amount of fine or period of imprisonment may be doubled.

XXX. In all cases of assault committed, or of damage or loss inflicted at sea by fishermen of either country upon fishermen of the other country, the courts of the country to which the offenders belong shall condemn the latter to a fine of at least 8s. (10 francs), or to imprisonment for at least two days. They may, moreover, condemn the offenders to pay adequate compensation for the injury.

XXXI.\* Fishing boats of either of the two countries shall be admitted to sell their fish in such ports of the other country as may be designated for that purpose, on condition that they conform to the regulations mutually agreed upon. Those regulations, together with a list of the ports, are annexed to the present Convention; but without prejudice to the opening by either country of any additional ports.

XXXII. The fishing boats of the one country shall not enter within the fishery limits fixed for the other country, except under the following circumstances:

1. When driven by stress of weather or by evident damage;
2. When carried in by contrary winds, by strong tides, or by any other cause beyond the control of the master and crew;
3. When obliged by contrary winds or tides to beat up in order to reach their fishing ground; and when from the same cause of contrary wind or tide they could not, if they remained outside, be able to hold on their course to their fishing ground;
4. When during the herring fishing season the herring boats of the one country shall find it necessary to anchor under shelter of the coasts of the other country, in order to await the opportunity for proceeding to their fishing ground;
5. When proceeding to any of the ports of the other country open to them for the sale of fish, in accordance with the preceding Article; but in such case they shall never have oyster dredges on board.

XXXIII. When fishing boats, availing themselves of the privilege specified in Article XXXI, shall have oysters on board, they shall not carry any dredges or other implement for taking oysters.

XXXIV. The commanders of cruisers may authorize boats belonging to their own country to cross the exclusive fishery limits of the other country, whenever the weather is so threatening as to compel them to seek shelter.

XXXV. Whenever, owing to any of the exceptional circumstances specified in any of the 3 preceding Articles, the fishing boats of either country shall be in the ports or within the fishery limits fixed for the other country, the masters of

\* See Additional Article. Page 1134.

such boats shall immediately hoist a blue flag two feet (60 centimetres French) high, and 3 feet (one metre French) long, and shall keep that flag flying at the masthead so long as they remain in such ports or within such limits. The flag shall be hauled down as soon as the boat is outside the said limits.

Such boats must return outside the said limits as soon as the exceptional circumstances which obliged them to enter shall have ceased.

XXXVI. The commanders of the cruisers of each of the two countries, and all officers or other agents appointed to superintend fisheries, shall exercise their judgment as to infractions of the regulations with regard to the fishery limits; and when they shall be satisfied of the fact of the infraction, they may detain the boats of the offenders, or cause them to be detained, and may take them, or cause them to be taken, into port, where, upon clear proof of the offence, such boats may be condemned by the competent court or magistrate to a fine not exceeding 10*l.* (250 francs). In default of payment, such boats may be detained for a period not exceeding 3 months.

In case of repetition of the offence, the fine may be doubled.

XXXVII. The proceedings and trial in cases of infraction of the provisions of the present Convention shall take place as speedily and as summarily as the laws in force will permit.

XXXVIII. The terms "British Islands" and "United Kingdom," employed in this Convention, shall include the Islands of Jersey, Guernsey, Alderney, Sark, and Man, with their dependencies.

XXXIX. Her Britannic Majesty engages to recommend to Parliament to pass an Act to enable her to carry into execution such of the arrangements contained in the present Convention as require legislative sanction. When such an Act shall have been passed, the Convention shall come into operation from and after a day to be then fixed upon by the two High Contracting Parties. Due notice shall be given in each country, by the Government of that country, of the day which may be so fixed upon.

XL. The Convention shall continue in force for 10 years from the day on which it may come into operation, and if neither party shall, 12 months before the expiration of the said period of 10 years, give notice of its intention to terminate its operation, the Convention shall continue in force one year longer, and so on from year to year, until the expiration of one year's notice from either party for its termination.

The High Contracting Parties, however, reserve to themselves the power to make, by mutual consent, any modification in the Convention which experience shall have shown to be desirable, provided it is not inconsistent with the principles on which it is based.

XLI. The Convention concluded between the High Contracting Parties on the 2nd of August, 1839, and the Regulations of the 23rd of June, 1843, shall continue in force until the day when, as provided in Article XXXIX, the present Convention shall come into operation, and shall then altogether cease and determine.

XLII. The present Convention shall be ratified, and the ratifications shall be exchanged as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Paris, the 11th of November, in the year of our Lord, 1867.

(L.S.) LYONS.

(L.S.) MOUSTIER.

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#### ADDITIONAL ARTICLE.

It is agreed that Article XXXI of the Convention signed this day shall not come into operation until the two Contracting Parties shall have come to a further understanding on the subject. Due notice shall be given of the day that may be fixed upon for its coming into operation.

The present Additional Article shall have the same force and validity as if it were inserted, word for word, in the Convention signed this day. It shall be ratified, and the ratifications shall be exchanged at the same time as those of the Convention.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Paris, the 11th of November, in the year of our Lord, 1867.

(L.S.) LYONS.

(L.S.) MOUSTIER.

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#### *Declaration annexed to the Convention of November 11, 1867.*

The fishermen of each country shall not be allowed to land or discharge their fish in the other country except at places where there is a Custom House, and during office hours.

Immediately upon their arrival, and in all cases before they commence the discharge of their cargo, they shall present their muster-roll, or licence, or official paper, to the proper officer of Customs, and shall pass an entry at the Custom-House, stating, as nearly as possible, the quantity of fish which they have on board.



If the master of a fishing-boat cannot write, the officer of Customs shall fill up for him the form required, and the master shall affix his mark thereto.

The Custom-House officers shall have the power to board and search the fishing boats of the other country in the manner directed by the Customs laws.

During their stay in the ports of the other country, the fishermen of either country shall, if required to do so by the Customs authorities, deposit in a warehouse or in the Custom-House, until their departure, all stores subject to duty, which shall not be necessary for their daily consumption. No charge shall be made for such warehousing.

The ports enumerated in the subjoined list, where there is a Custom-House establishment, are those that shall be open in each country to the fishermen of the other country. In case the Customs establishment at any of those ports should be abolished, notice thereof shall be given to the Government of the other country.

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*List of the Ports in the United Kingdom open for the Importation of Fish by French Fishing-boats.*

IN ENGLAND.

Bristol.	Liverpool.	Ramsgate.
Cardiff.	London.	Shields.
Dover, C.	Lowestoft.	Shoreham, C.
Folkestone, C.	Middlesborough.	Southampton, C.
Falmouth, C.	Newcastle.	Sunderland.
Grimsby.	Newhaven, C.	Swansea.
Hartlepool.	Newport.	Weymouth, C.
Harwich.	Portsmouth, C.	Whitby.
Hull.	Plymouth, C.	Yarmouth.

IN SCOTLAND.

Aberdeen.	Greenock.	Wick.
Glasgow.	Leith.	

IN IRELAND.

Belfast.	Dublin.	Waterford.
Cork.	Galway.	

IN THE CHANNEL ISLANDS.

Jersey, C.	Guernsey, C.
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The ports in the Channel are marked with a C.

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*List of the Ports of the French Empire open for the Importation of Fish by British Fishing-boats.*

Directions.		Directions.	
Dunkerque ..	Gravelines.		Saint Malo.
	Dunkerque.		La Houlle.
Boulogne ..	Hourdel.		Le Vivier.
	St. Valery-sur-Somme.	Brest ..	Quimperlé.
	Crotoy.		Douélan.
	Abbeville.		Pontaven.
	Berck (plage maritime).		Concarneau.
	Etaples.		Quimper.
	Boulogne.		Pont l'Abbé.
	Calais.		Audierne.
Le Havre ..	Harfleur.		Douarnenez.
	Le Havre.		Morgat.
	Fécamp.		Camaret.
	St. Valéry-en-Caux.		Port Launay.
	Dieppe.		Le Faon.
	Tréport.		Landerneau.
	Eu.		Brest.
Rouen ..	Rouen.		Le Conquet.
	Croisset.		Labrevrach.
	Duclair.		Roscoff.
	Caudebec.		Morlaix.
Caen .. ..	Isigny.	Vannes ..	Redon.
	Port-en-Bessin.		La Roche-Bernard.
	Courceulles.		Tréhiguier.
	Caen.		Billiers.
	Ouistreham.		Pénerf.
	Trouville.		Ambon.
	Honfleur.		Vannes.
	Pont-Audemer.		Belle-Croix.
Saint Lô ..	Granville.		Sarzeau.
	Regneville.		Suscínio.
	Portbail (Havre).		Saint Armel.
	Dielette.		Noyal.
	Carentan.		Quatre-vents.
	Cherbourg.		Ile d'Ars (Ile du Morbi-
	Barfleur.		han).
	Saint Vaast.		Port Novalo.
	Omonville.		Larmorbaden.
Saint Brienc.	Lannion.		Locmariaquer.
	Perros.		Auray.
	Tréguier.		Rochdu.
	Lézardrieux.		La Trinité.
	Pontrieux.		Carnac.
	Paimpol.		Porthaliguen.
	Portrieux.		Palais (Ile).
	Binic.		Etel.
	Le Légué.		Port Louis.
	Dahonet.		Hennebon.
	Erquy.		Lorient.
	Le Guildo.		Kernevel.
	Plouer.		Groix (Ile).
	Dinan.	Nantes ..	Noirmoutiers.
	Saint Suliac.		St. Gilles.
	Saint Servan.		Ile d'Yeu.

Directions.		Directions.	
Nantes— <i>continued.</i>	La Barre-de-Mont (port sur canal). Beauvoir (idem). Boin (idem). Bourgneuf. Pornic. Paimbœuf. Saint Nazaire. Nantes. Chantenay. La Basse-Indre. Port Nichet. Pouliguen. Le Croisic. La Turballe. Le Rosaïs. La Tremblade. Mornac. L'Eguille. Le Gua. Nieulle (port sur canal). Lusac (port sur canal). Marennes (idem). Le Chapus. Le Château (Ile d'Oléron). St. Pierre (idem). St. Georges (idem). St. Denis (idem). Bronage (port sur canal). Moëze. Charente.	La Rochelle— <i>continued.</i>	Rochefort. Fouran. Ile d'Aix (Ile). La Rochelle. Lauzières. Marans. La Flotte (Ile de Ré). St. Martin (idem). Loix (idem). Ars (idem). Luçon (port sur canal). L'Aiguillon. Les Sables. Saint Martin de Brem. La Teste. Gujan. Certes. Le Verdon. La Fosse (port sur canal). Pauillac. Bordeaux. Libourne. Plaigne. Bourg. Blaye. Montagne. Les Meschers. Royan. Saint Jean de Luz. Bayonne.
La Rochelle..		Bordeaux ..	
		Bayonne ..	

In witness whereof the respective Plenipotentiaries have signed these Annexes to the Convention concluded this day, and have affixed thereto the seals of their arms.

At Paris, the 11th November, 1867.

(L.S.) LYONS.  
(L.S.) MOUSTIER.

## GREECE.

REPORT of the Commissioners of Great Britain, France, and Russia, appointed to examine into the Financial Condition of Greece (Greek Loan). Athens, May  $\frac{1}{2}$ , 1859.

LA Commission composée des Représentants des 3 Gouvernements d'Angleterre, de France, et de Russie, qui a été instituée en 1857, pour examiner l'état financière de la Grèce, ayant rempli son mandat conformément à ses instructions, a adopté unanimement le Rapport qui suit.

La Commission dans sa première séance du 18 Février, 1857, a tracé le programme suivant de ses travaux :

1. Examen des diverses branches de revenu, et des ressources du pays.

2. Examen du mode de perception des revenus :

3. Examen des dépenses.

4. Examen des réformes que l'on peut proposer.

Elle a décidé que le point de départ de ses études serait l'année 1845, sans qu'elle ait voulu cependant limiter l'étendue de ses investigations.

La Commission a dû se préoccuper en premier lieu de l'administration, son programme supposant l'étude préalable du système administratif qui développe les ressources, constate et perçoit les revenus.

Le mode de perception a été examiné en même temps que les recettes.

Elle s'est ensuite occupée des dépenses.

Enfin, comme conclusion de ses investigations, la Commission a pris en considération la dette.

Les améliorations dont l'administration paraissait susceptible, et le développement des ressources du pays, ont appelé l'attention de la Commission en même temps que les observations critiques qui étaient faites lui paraissaient fondées.

La Commission Financière est d'avis que les études qu'elle s'était proposé de faire pour répondre à ce programme peuvent être considérées comme terminées, et elle rappelle la déclaration faite dans le procès-verbal No. 10 de la séance du 25 Janvier, 1858, par laquelle elle ne donne aux travaux qui lui sont remis aucune consécration, n'adoptant ni ne rejetant les données sur lesquelles ils reposent, ni les conclusions qui en sont tirées : elle ne les accepte que comme des documents à consulter, et à prendre en considération.

En conséquence, ayant pris en considération les documents et les informations recueillies dans les différents Ministères ;

Vu les notes remises par M. Strickland (Assistant Commissary-General), attaché au Ministre Britannique pour les travaux de la Commission ;

Vu les notes et le résumé général déposé par M. le Comte de Plœne, Inspecteur des Finances, chargé d'assister le Ministre de France ;

Vu les documents déposés par M. le Ministre de France ;

Vu les documents déposés par M. le Ministre de Russie ;

Vu les notes et documents remis par M. le Ministre d'Angleterre, Président de la Commission ;

Ayant pris en considération les informations verbales données au sein de la Commission par les Ministres des Affaires Etran-



gères de l'Intérieur, des Finances, et par le Président de la Cour des Comptes :

Toutes les pièces ci-dessus mentionnées dans les procès-verbaux des 60 séances de la Commission ;—

Attendu qu'il résulte de ces informations :

Que le domaine national, qui n'est ni délimité ni reconnu, est constamment amoindri par des empiètements :

Que les deniers communaux et l'emploi qui en est fait sont restés jusqu'ici ignorés de l'Etat, échappant ainsi à sa surveillance, bien qu'il fut chargé par la loi de la tutelle des communes dont la prospérité est le principal élément de la prospérité générale de la nation ;

Que plusieurs des impôts et des revenus ne rendent pas à l'Etat ce qu'ils devraient lui rendre ;

Que l'impôt foncier donne plus particulièrement lieu à des abus préjudiciables au Trésor, et que cet impôt entrave le développement de l'agriculture, principale ressource de la Grèce ;

Que les agents chargés de la gestion comme du recouvrement des revenus du Trésor public échappent aussi à la surveillance parfaitement indiquée cependant dans la législation ;

Que chaque année la masse des arriérés, qui enlace dans la dépendance du fisc un nombre inconnu de débiteurs, prend des proportions plus vastes ;

Que les lois destinées à faire rentrer ces arriérés sont restées sans effet sérieux ;

Que cet état de choses est une atteinte grave aux intérêts du Trésor ;

Attendu que les Ministres Ordonnateurs des dépenses n'avaient rendu jusqu'ici aucun compte ;

Que les Ministres des Finances n'avaient presque jamais justifié depuis 1845 par les comptes que la loi leur prescrivait de publier, ni des ressources du Trésor public, ni de l'emploi qui en avait été fait, puisque si les comptes de 1850, 1851, 1852, avaient été établis, lors de la constitution de la Commission, le seul compte de 1850 avait été soumis aux Chambres, et aucune loi des comptes n'avait été rendue ;

Attendu que la Cour des Comptes n'a pas justifié par les déclarations de conformité et les rapports qu'elle est tenue de publier que l'Administration est régulière, et que les comptes des Ministres sont ce qu'ils doivent être ;

Attendu que les Chambres n'ont pas porté de remède à cette situation, puisque, en fait, le contrôle législatif pas plus que le contrôle judiciaire ne s'est exercé ;

Et que dès lors les comptes produits par l'Administration n'offrent pas toutes les garanties légales d'exactitude et d'authenticité ;

En résumé :

Que l'administration des finances n'est pas réglée avec l'ordre nécessaire ;

Que les efforts des différents agents n'ont pas assez constamment pour résultat l'application sérieuse des lois ;

Que la publicité et le contrôle des actes de l'Administration, qui sont les garanties du pays et des Puissances Protectrices, n'existent pas en fait.

En ce qui concerne l'Emprunt de 1832 :

Attendu que les ressources du Trésor Grec se sont accrues sans qu'il ait été satisfait aux engagements contractés par les Traités, ni aux promesses solennellement réitérées ;

Attendu qu'à mesure que les ressources du Trésor s'accroissent, les dépenses prennent un essor proportionnel, sans que l'on puisse trouver dans la situation du pays, soit en travaux d'utilité publique, soit en encouragements donnés à l'industrie, ou par toute autre initiative venant de l'Etat, une compensation suffisante aux sacrifices faits annuellement par les Puissances Protectrices ;

Attendu qu'à mesure que les dépenses s'accroissent proportionnellement aux recettes, les provisions pour les Budgets de restitution des sommes dues aux Puissances décroissent proportionnellement ;

Attendu que dans cette situation, toutes les sources du crédit public ouvertes seulement aux nations qui remplissent leurs engagements sont taries pour la Grèce ;

Que cet état fâcheux pour les intérêts du pays s'aggrave chaque jour, puisque en admettant même qu'il plaise aux 3 Puissances de faire l'abandon des intérêts dus pour les avances qui ont été faites jusqu'au 1 Janvier, 1859, la Dette de la Grèce s'élève à cette date à 56,142,304 francs 75 centimes, et qu'elle serait au 1 Mars, 1870, époque de sa libération vis-à-vis les porteurs d'obligations de 121,528,198 francs 81 centimes ;

Rappelant l'Article XII, § 6, de la Convention du 7 Mai, 1832,\* ainsi conçu : "Le Souverain de la Grèce et l'Etat Grec seront tenus d'affecter au paiement des intérêts et du fond d'amortissement annuels de celles des séries de l'Emprunt qui auraient été réalisés sous la garantie des 3 Cours, les premiers revenus de l'Etat, de telle sorte que les recettes effectives du Trésor Grec seront consacrées avant tout au paiement des dits intérêts et du dit fond d'amortissement, sans pouvoir être employées à aucun autre usage, tant que le service des séries réalisées de l'Emprunt sous la garantie des 3 Cours n'aura pas été complètement assuré pour l'année courante. Les Représentants Diplomatiques des 3 Cours en Grèce seront spécialement chargés de veiller à l'accomplissement de cette dernière stipulation ;"

\* See Vol. 4. Page 313.

Qu'en conséquence aux termes stricts de cette Convention le service des intérêts et de l'amortissement peut être immédiatement exigé ;

La Commission est d'avis :

Que l'attention du Gouvernement Grec soit sérieusement appelée sur la nécessité de mettre un terme aux empiétements commis sur le domaine national par un cadastre, ou par la vérification des titres de propriété, ou par toute autre mesure qui répondrait à ce résultat :

Sur l'utilité qu'il y aurait, dans l'intérêt des contribuables et du Trésor, de modifier certaines lois d'impôts, notamment celle sur l'impôt foncier ;

Sur la nécessité de donner aux lois de finance toute leur efficacité par une action administrative plus ferme, plus vigilante ;

Enfin sur l'impérieuse nécessité d'assurer la publicité des actes de l'Administration, et leur contrôle par les pouvoirs judiciaires et législatifs créés par les lois spéciales et par la Constitution.

A cet effet aux époques fixés par les lois pour la présentation des Budgets, la production des comptes par les Ministres, la publication du Rapport Général de la Cour des Comptes, et de ses déclarations de conformité, et la promulgation de la Loi des Comptes, des exemplaires imprimés de ces documents, en nombre suffisant, seront remis aux Légations d'Angleterre, de France, et de Russie.

Enfin, l'étude attentive des ressources du Trésor Hellénique, faite par la Commission, l'a amenée à la conviction que la Grèce est en mesure de contribuer aux sacrifices qui sont fait chaque année pour elle.

Quant à la fixation de la somme qui peut lui être demandée, convaincue que la Grèce bien administrée aurait pu dès aujourd'hui remplir complètement ses engagements, que dès lors il serait loisible aux Puissances, sans froisser aucun principe de justice, de la mettre en demeure de payer intégralement les intérêts et l'amortissement ;

Néanmoins, voulant encore lui donner des facilités, ne nuire ni à aucun de ses services publics ni à son développement régulier, et éloigner toute contestation légitime, la Commission propose de fixer le minimum de la participation de la Grèce au chiffre de 900,000 francs.

Dans la prévision de l'accroissement des ressources du Trésor Grec, la Commission est d'avis que cette somme devra s'accroître progressivement à des époques qui seront déterminées lorsque le mode de paiement et d'affectation des sommes payées par la Grèce à l'amortissement de sa dette seront réglés.

La Commission rappelle que sa modération dans la fixation

du chiffre du premier paiement donne droit aux Puissances de compter sur des réformes efficaces dans l'Administration Grecque ; ces espérances trompées elle est d'avis qu'il y aurait lieu d'insister sur la stricte exécution de la Convention de 1832.

La Commission ne méconnaît pas les difficultés contre lesquelles on peut avoir à lutter dans un pays si récemment constitué ; et pour éviter autant que possible les erreurs dans ses appréciations, elle a toujours voulu tenir compte du temps et des circonstances.

La Commission a pris acte des assurances que lui ont données les Ministres du Roi, qu'ils faisaient tous leurs efforts pour améliorer la situation financière de la Grèce, et elle se plaît à espérer que ces louables dispositions se traduiront par des faits.

Au moment de terminer ses travaux, la Commission reçoit de M. le Ministre des Affaires Etrangères, un état qu'accompagne une lettre d'envoi à la date du 2<sup>e</sup> Mai, 1859 (voir le procès-verbal No. 60). Cet état mentionne par Ministère en un chiffre et une désignation brève, sans autre développement, des dépenses, s'élevant à 15,735,000 drachmes, auxquelles le Trésor devrait nécessairement faire face, si ses ressources venaient à dépasser celles qui sont absorbées aujourd'hui dans les Budgets.

La Commission rappelle qu'en fixant avec une modération qu'elle ne regrette pas le chiffre de 900,000 francs comme minimum de ce que devra payer la Grèce, elle n'a pas perdu de vue les nécessités de ses services publics, et les besoins de son développement régulier.

Elle n'a pas tenu compte des tendances avérées de l'Administration Grecque, que révèle encore une fois ce dernier incident ; mais elle a aussi voulu rappeler qu'avant les besoins, plus ou moins contestables, qu'on lui expose, il y a le respect des Traités et des promesses solennellement réitérées, qui est le premier devoir d'une Administration qui veut fonder le crédit public et honorer son pays.

Mais, attendu d'ailleurs, comme il a été dit plus haut, que les comptes publiés n'offrent pas les garanties légales d'exactitude et d'authenticité ;

Que la Commission dès lors n'a pu constater que l'accroissement successif des dépenses, et la tendance de l'administration, à absorber toutes les recettes par des dépenses intérieures, afin de justifier l'impossibilité de satisfaire à ses engagements ;

Que jusqu'à ce que les garanties que les lois et la Constitution demandent pour la validité des comptes soient obtenues, la Commission ne saurait dire si les crédits ouverts aux Budgets et dépenses représentent les dépenses réellement indiquées dans ces Budgets et des besoins réellement satisfaits ;



Dans cette situation la Commission ne peut voir dans le Tableau qui lui est transmis qu'un travail de circonstance, qui n'est pas de nature à modifier ses conclusions.

Athènes, le  $\frac{1}{2}$  Mai, 1859.

THOS. WYSE.

A. OZEROFF.

CHAS. DE MONTHEROT.

*PROTOCOL of Conference between the Plenipotentiaries of Great Britain, France, and Russia, relative to the Succession to the Throne of Greece; the Guarantee by the 3 Protecting Powers; the Union of the Ionian Islands to Greece; and the Financial Obligations of Greece towards the 3 Guaranteeing Powers. London, June 26, 1863.*

Présens : Les Plénipotentiaires de France, de la Grande Bretagne, et de Russie.

APRÈS avoir signé le Protocole du 5 de ce mois relatif aux arrangements à prendre pour faciliter l'avènement du Prince Guillaume au Trône Hellénique, les Plénipotentiaires de France, de la Grande Bretagne, et de Russie ont jugé nécessaire de constater l'accord établi entre leurs Cours sur les deux points suivants :—

1. Quant à la garantie de l'existence politique et des frontières du Royaume de Grèce, les 3 Puissances Protectrices maintiennent simplement les termes dans lesquels elle est exprimée par l'Article IV de la Convention du 7 Mai, 1832.\*

Il est convenu que les Iles Ioniennes seront comprises dans cette garantie, lorsque leur réunion au Royaume Hellénique aura obtenu l'assentiment des parties intéressées.

2. En ce qui regarde les obligations financières que la Grèce a contractées envers les 3 Puissances Protectrices, par rapport au service de l'emprunt, en vertu de l'Article XII de la Convention du 7 Mai, 1832, il est entendu que les Cours de France, de la Grande Bretagne, et de Russie veilleront d'un commun accord à la stricte exécution de l'engagement proposé à Athènes par les Représentants des 3 Puissances, et consenti par le Gouvernement Grec, avec le concours des Chambres, au mois de Juin, 1860.

Les Représentants des 3 Puissances en Grèce recevront à cet effet des instructions conçues dans le même esprit, pour servir de règle à leur conduite.

Les 3 Cours se communiqueront ces instructions, destinées à sauvegarder leurs intérêts par des efforts réunis.

BON GROS.  
RUSSELL.  
BRUNNOW.

\* See Vol. 4. Page 313.

## ITALY.

DECLARATION *between the British and Italian Governments, relative to Joint Stock Companies. Signed at Florence, 26th November, 1867.*

THE Government of Her Majesty the Queen of Great Britain and Ireland, and the Government of His Majesty the King of Italy, with a view to the reciprocal regulation in the two countries of the position of Joint Stock Companies, and other commercial, industrial, and financial associations, have respectively authorized Sir Augustus Berkeley Paget, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Italy, and His Excellency Count Louis Frederick Menabrea, President of the Council, and Minister Secretary of State of His Majesty the King of Italy for the Department of Foreign Affairs, to agree :

That Joint Stock Companies and other associations, commercial, industrial, and financial, constituted and authorized in conformity with the laws in force in either of the two countries, may freely exercise in the dominions of the other all their rights, including that of appearing before tribunals, whether for the purpose of bringing an action, or for defending the same, in conformity, however, with the laws and customs in force in the said countries.

That these dispositions shall be applicable as well to com-

IL Governo di Sua Maestà la Regina del Regno Unito della Gran Bretagna e d'Irlanda, ed il Governo di Sua Maestà il Re d'Italia, allo scopo di regolare reciprocamente nei due Stati la condizione delle Società Anonime, ed altre Associazioni commerciali, industriali, e finanziarie, hanno rispettivamente autorizzato Sir Augustus Berkeley Paget, Inviato Straordinario e Ministro Plenipotenziario di Sua Maestà Britannica presso Sua Maestà il Re d'Italia, e Sua Eccellenza il Conte Luigi Federico Menabrea, Presidente del Consiglio, e Ministro Segretario di Stato per gli Affari Esteri di Sua Maestà il Re d'Italia, a convenire :

Che le Società per azioni (anonime) ed altre Società, commerciali, industriali, e finanziarie, costituite ed autorizzate secondo le norme prescritte dalla legislazione di uno dei due paesi, potranno liberamente far valere negli Stati dell'altro tutti i loro diritti, compreso quello di stare in giudizio, sia per intentare azioni, sia per difendersi da quelle che venissero loro intentate, conformandosi però sempre alle leggi e consuetudini in vigore negli Stati medesimi.

Che queste disposizioni dovranno essere applicate tanto

panies and associations constituted and authorized previously to the signature of this present Declaration, as to those which may subsequently be so constituted and authorized.

That the present Declaration, made without limit as to duration, may be revoked by either party giving a year's previous notice, and that such modifications may, by common consent, be introduced into it, which experience may show to be desirable.

Done at Florence, in duplicate, the 26th November, 1867.

(L.S.) A. B. PAGET.  
(L.S.) L. F. MENABREA.

alle Società ed Associazioni costituite ed autorizzate anteriormente alla firma della presente Dichiarazione, quanto a quelle che lo fossero in seguito.

Che la presente Dichiarazione, fatta senza limite di durata, potrà venire revocata da ambe le parti mediante la denuncia fattane un anno prima, e che vi si potranno introdurre di comune accordo quelle modificazioni che la esperienza dimostrasse opportune.

Fatto a Firenze, in doppio originale, il 26 Novembre, 1867.

(L.S.) A. B. PAGET.  
(L.S.) L. F. MENABREA.

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## JAPAN.

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*MEMORANDUM delivered by the Representatives of Great Britain, France, The United States, and the Netherlands in Japan, relative to the Coercive Measures to be adopted against the Prince of Choshu in the Straits of Shimonosaki, and elsewhere. Yokohama, 22nd July, 1864.*

WHEN the Treaty Powers in 1862 consented, on the representations of the Tycoon's Envoys, to certain important modifications in the Treaties; the spirit, the motive, and the extent of these concessions were clearly set forth.

In consenting to the deferred opening of the ports, mentioned in the Memorandum signed at the time, the Treaty Powers were careful to establish the fact that this postponement, far from signifying a virtual abandonment of their rights, was, on the contrary, to be taken as indicating their firm resolution to maintain them, by furnishing the Tycoon with the means which he declared to be necessary for securing them in a more effectual manner.

In a word, the Japanese Government by the very tenor of those representations, pledged itself to remove, in exchange for these temporary concessions, all the difficulties of the time, and the obstacles which might oppose the development of our relations.

But what have been the results of these promises and concessions?

The Undersigned summed them up, when last year, in the month of July, they addressed to the Tycoon an identical note describing—

The restrictions placed upon commerce, the murderous assaults committed upon foreigners, the closing of the Inland Sea, and the attacks made upon foreign vessels by a Daimio.

The complaints remained unanswered; no steps were taken to give redress, and as the situation became worse, because the presence of foreigners at Yokohama was put in question, the Undersigned were compelled to renew their remonstrances in a note which they addressed on the 30th of May last to the Gorogio.

As the Yeddo Council has not this time thought it advisable to be silent regarding this step, the Undersigned have met together in order to examine the tenor of the reply to the aforesaid note received by them separately, and to fix upon the line of conduct to be followed on this occasion.

The Undersigned satisfied themselves that the reply from the Gorogio was identical, and virtually a negation of all their reclamations.

In effect, while deploring the violent acts of the Daimio who, after having closed the Inland Sea, still obstructs and interrupts the commerce of Nagasaki, the Japanese Ministers leave the Undersigned no hope of this state of things being modified, and warn them, moreover, of the dangers which the Treaty Powers may incur in attempting to arrive at that end by direct and common action.

As for the port of Yokohama, the Gorogio continues in the same course, and persists in demanding the abandonment of that settlement as a necessity urged upon it by circumstances, and as the only means of securing the lives of foreigners and the peace of the country.

In the face of this categorical declaration, the Undersigned are compelled to seek elsewhere for the means of obtaining redress for existing grievances, and of protecting, as effectually as possible, the interests entrusted to them.

At first they inquire what is the political situation of Japan?

Authentic documents, derived from various sources, disperse the darkness with which the local Government endeavours to obscure it.

The Tycoon, by treating with foreigners on a footing of equality, has hurt the national pride of the Daimios, while he has damaged their interests by reserving to himself the monopoly of the new commercial relations. To these first



causes of the discontent of the Daimios have soon been added the increase of taxes, and other exactions imposed on them under the pretext of providing for the defence of the country. This hostile attitude has been the more clearly defined from the Tycoonship having just passed into weak hands, and the best guarantee of its power given up when the Daimios, whom it was the custom to keep in Yeddo as hostages, were allowed to retire to their territories. These elements of opposition have naturally been concentrated round the Mikado, who can at his pleasure, resume the exercise of his power which his ancestors and himself had simply delegated.

The members of the high aristocracy could not allow this occasion to pass without taking revenge for the long domination of a dynasty the founder of which had not even been their equal in rank, and they have put aside their respective rivalries in order to combine, and more effectually attack the reigning Tycoon on the foreign question as his weak point.

Hence the resolution recently taken at Kioto to annul the Treaties, and which commands the Tycoon to expel the foreigners by negotiations or by force.

The Tycoon comprehends his inability to fulfil such a mission, and conscious of the danger for his country of such an attempt, he feels inclined to temporize. But his weakness and inability take away from him all influence over the Councils of the Mikado.

Fortunately for us, he is not the only one who desires the adoption of a more prudent policy towards the Treaty Powers. A certain number of Daimios, amongst whom may be counted of old date the Princes of Etsizen, Higo, Idsu, Yossu, and more recently, Satsuma (whose views have apparently been modified by the attack on Kagosima), have given evidence, about the truth of which the Undersigned think there is not the slightest doubt, of their desire to promote commercial relations, by establishing on a new or modified basis the intercourse of Japan with foreign Powers.

This party has not been afraid to state its opinions in the midst of the Council at Kioto; but it has been obliged to give up, for the present, the struggle against an overwhelming majority.

The political situation of Japan might therefore be summed up as follows:—

Weakness of the Tycoon and increasing powerlessness of that Prince to resist the violent pressure of a hostile majority;

Existence of a party favourable to continued relations with foreigners, but at this moment incapable of giving effect to its opinions;

Finally, armaments of every kind, prepared with the loudly avowed intention of expelling all foreigners from the country.

The position made for the Representative of Foreign Powers is the natural consequence of the situation and the tendencies which they have just pointed out.

The residence in the capital is virtually interdicted.

The passage through the Inland Sea is forbidden to their vessels, by means of batteries erected with that object.

Commanders of Japanese junks who intended to bring merchandize to the foreign residents at Nagasaki have been killed by order of the Daimio who has erected the said batteries.

The people have been excited against the negotiators of the Treaties, by speaking of imaginary calamities as attached to their execution.

Orders from the local Government arbitrarily restrict the quantity of produce for exportation at the three open ports. Every day brings with it new obstacles to the development of the trade, which sometimes (Choshu has given an example) is suddenly stopped by violent measures.

The most elementary rules of the law of nations are disregarded.

Finally, the Gorogio insists upon the abandonment of Yokohama by the foreigners, and it claims the concession on the ground of its being necessary for the peace of the country, and above all for the security of the lives and properties of these foreigners, whom it says, it will soon be impossible to protect against the hatred which they have inspired.

And yet, what is the mission entrusted to the Undersigned by their respective Governments?

The recent decision of the Governments to which the demands on the part of the Japanese Mission now in Europe has given rise, enable the Undersigned clearly to define their obligations. The foreign Powers not only reject in categorical terms the propositions regarding the abandonment of Yokohama, but also refuse, by anticipation, to listen to any overture for the modification of existing Treaties or curtailment of the rights they confer.

The instructions transmitted to the undersigned are identical. All are directed to maintain Treaty rights intact, and to insist on their complete observance.

But do not the facts already cited prove that these Treaties of which the execution is required, are at present a mere dead letter?

The political situation, and the instructions the Undersigned have received from their Governments, are in irreconcilable contradiction, and they are bound, at the risk of failing in their

duty, to seek, without delay, for the proper means of effectually modifying such a condition.

The Representatives of foreign Powers having experienced the uselessness of their representations and efforts with the Government of the Tycoon to obtain redress for their grievances, can only trust to means at their own disposal, in order to arrive at the best solution of the question that may be possible.

Looking in this direction, they recognize more than ever the necessity of strengthening and consolidating their position by a cordial understanding, founded upon identity of interests and entire unity of views, as well as of action.

Suffering from the same political situation, and provided with the same instructions, the question suggests itself whether it be in prolonged temporization, or in energetic and prompt action, that they must find the remedy for the state of affairs they have pointed out. Forbearance and conciliation, and a policy characterized by these have already been pushed to the utmost limit, and failed.

It is by following this system that the Treaty Powers have been led, from concession to concession, to the point where they now have arrived. It was from prudence, and the fear of bringing about complications, that they left Yeddo; that they subsequently allowed themselves to be almost confined in Yokohama; and that they have now waited a whole year for the reparation which they demanded from the local Government, relative to the hostile aggressions of the Prince of Nagato.

This long and patient forbearance was natural so long as the Treaty Powers could believe in the promises and assurances of the Tycoon's Government; but it would now be a mistake, when undeniable facts prove that it has only encouraged the retrograde aspirations of a party which believes itself so certain of victory that it thinks it no longer necessary to conceal its hopes and designs.

The undersigned, guided therefore by the experience of the past, believe they ought not to hesitate in coming to the conclusion that further inaction would be fatal to the interests at stake, and unavoidably productive, under greater disadvantages, and certainly with larger proportions, of the conflict which they would by such means seek to avert.

Whereas a more energetic attitude would, on the contrary, have undoubtedly, for immediate result, the dissipation of the idea now entertained by the Daimios, that patience has only been dictated by weakness or fear.

A vigorous demonstration will disarrange schemes scarcely yet formed, and it is calculated to give support to the party favourable to the maintenance of Treaties before its opponents will have time to crush it. It will moreover give a salutary

lesson to those semi-independent feudal Chiefs who scoff at the obligations of Treaties, the validity of which they repudiate, and who for the justification of their continuous acts of violence appeal to a decree still in existence which makes foreigners outlaws.

In a word, this decided attitude may furnish to the Tycoon an occasion to regain an influence which is slipping from his weak hands, although he is far from being willing to abdicate or renounce his governing powers. At all events it may compel this Prince to abandon the system of duplicity and half-measures which he now follows, and openly declare whether he wishes to respect the Treaties, or sides with those who wish to tear them up.

Thus the Undersigned are unanimously agreed as to the necessity of a vigorous effort, and the final abandonment of an expectant position. They are convinced that by prolonging the passive and expectant policy, they would unavoidably bring about a *dénouement* which, if there be nothing formidable in it now, owing to the imposing forces that the foreign Powers have at their disposal in Japan, might come later, at a moment when these forces being called elsewhere, they would have to resist without adequate means an enemy fully prepared, and who would choose the hour he might judge most favourable.

How and where the first blow must be struck is easily determined by an examination of the present state of things.

While the majority of the party hostile to the Treaties has limited itself to menaces, the Prince of Choshu has resolutely taken the initiative of attack, by prohibiting to foreign vessels all access to the Inland Sea, and by stopping the supplies of produce for the Nagasaki market carried on by native junks as has been shown by the successive reports received from the Consular Agents at that port; such a continued violation of the Law of Nations and formal negation of Treaty rights has been encouraged by the impunity which those perpetrating the acts have been allowed to enjoy. The futility of the representations made by the Treaty Powers on this head is for the hostile Daimios an argument upon which they build their hopes for the final success of their policy, and one which they freely use to keep up the excitement and courage of their followers and party.

Foreign Powers, therefore, in chastising the Prince of Choshu, will meet the exigencies of their position, and best contribute to the security and well-being of their subjects who have been injured by this belligerent Daimio.

The removal of the obstruction to the free navigation in the Inland Sea, by the destruction of the batteries whence the attack has come, will ruin the prestige of the aggressor, open



the eyes of the hostile Daimios deceived by our inaction, and show the inanity of their menaces, and their incapability of standing before the science and military resources of the Treaty Powers.

The Undersigned being of one and the same opinion as to the necessity of acting, and the direction to be given to their movements, have agreed to establish certain principles to serve as the basis of future co-operation; and which may also strengthen the common understanding by removing suspicions which might be conceived as to the future projects of each of the Representatives. They have therefore accepted the following Articles:

ART. I. The Undersigned lay down as general basis of their policy the neutralization of Japan; and while awaiting the adhesion of their respective Governments thereto, they engage that this principle shall prevail in the open ports.

II. The Undersigned will come to an understanding as to the measures to be taken to maintain the Treaty rights intact, especially the liberty of commerce in the open ports.

III. Although the experience acquired at the time of the expeditions to Shimonasaki and Kagosima has led them to consider an attack on the 3 open ports improbable, in consequence of any operations in the Inland Sea, yet the Undersigned will, in common, take measures in order to provide for this contingency, particularly as regards the port of Yokohama, which is most exposed to the chances of aggression or attack.

IV. The Undersigned agree neither to ask for, nor to accept, any concession of territory, nor any exclusive advantage whatever, either in the open ports or elsewhere in Japan.

If, in order better to secure the success of the operations in the Inland Sea or elsewhere, it should appear to be useful or necessary to the Commanders of the naval forces engaged to take possession of a port, island, or any portion of land, it is distinctly stipulated that such possession shall confer no exclusive right to the nation which shall hold it, and that the same must cease as soon as the end in view shall have been attained.

V. The Undersigned stipulate, moreover, that they will abstain from all interference in the jurisdiction of the Japanese authorities over their people, as well as from all intervention between the contending parties in the country.

As the basis of an *entente cordiale* and effective co-operation, in view of the common action which it may become necessary in future to undertake, has been established, the Undersigned have agreed to bring this Memorandum to the knowledge of the Military and Naval Commanders of the Treaty Powers, and to invite them to concert among themselves the coercive means that may be necessary in order to secure the proposed result.

As soon as the said Commanders shall have declared that they are in a position to act in conformity with the programme of the policy above set forth, and not before, the Undersigned agree to transmit to the Gorogio, each separately, an identical note, which shall be, substantially, to the following effect:

They are to be informed that their answer has been the subject of a conference.

Regret to be expressed that the previous letter should have had so little effect. Mere expression of regret for injury, to remain unredressed, of no avail; equally so warning of danger if foreign Powers do themselves justice. Persistence in demand for closing of Yokohama on a plea of necessity overlooks a like necessity in foreign Powers not to consent.

Conference see in the general tenour of answers a formal and absolute negation of rights, and such a situation it is impossible to accept.

In consequence, the foreign Representatives have adopted resolutions in common accord, to be now communicated.

In respect to the affair of Choshu, if within 20 days no material change and satisfactory guarantee for future security, action will be taken, through the admirals and other naval and military commanders, and without further communication with Ministers.

In reference to withdrawal from Yokohama, renewed protest against reiteration of a demand which foreign Representatives are not even allowed to discuss.

Suggest one consideration they seem to have overlooked, in making and persevering in this demand. Concessions of 1862 not absolute, but conditional. Non-fulfilment of conditions puts an end to concessions. Treaty Powers revert to Treaty; by this, right to claim execution of all Articles—opening of Yeddo, Osaka, Hiogo, and Nagato.

This the only answer of the demand for abandoning Yokohama.

The line of conduct here traced, and the general policy indicated throughout this Memorandum, as the best adapted, under all the circumstances, in a political point of view, to lead to a satisfactory result, obviously assumes the availability on the spot of material forces, and their employment for the attainment of the more immediate ends in view.

It has accordingly been agreed by the Undersigned that neither the dispatch of the *note identique* nor any other step of a nature to commit them to any definite issue with the Japanese Government shall be taken until the assurance has been received of the naval and military officers in command that they are prepared to give their effective co-operation whenever it may be deemed necessary.

Signed in duplicate, in English and French versions, each

to be regarded as originals, by the Undersigned, this 22nd day of July, 1864, at Yokohama.

RUTHERFORD ALCOCK, *Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.*

LEON ROCHES, *Minister Plenipotentiary of His Imperial Majesty in Japan.*

ROBERT H. PRUYN, *Minister Resident of the United States in Japan.*

D. DE GRAEF VAN POLSBROEK, *His Netherlands Majesty's Consul-General and Political Agent in Japan.*

BRITISH NOTIFICATION, *relative to the Arrangements made for the Opening of Yedo, Niigata, and Ebisuminato to Foreign Trade, on the 1st of April, 1868. Yedo, November 26, 1867.*

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan, hereby notifies, for the information of Her Majesty's subjects, that the negotiations in which he and his colleagues, the Representatives of France, Holland, and the United States of America, have been engaged with the Japanese Government, relative to the opening to foreign trade of the city of Yedo, and a port on the west coast of Japan, have resulted in the subjoined arrangements, which have been accepted by the Undersigned on the part of Her Majesty's Government.

Niigata having been chosen as the port on the west coast, it has been arranged, in order to supply the deficiencies of that anchorage, at certain seasons of the year, that use may be made by foreign vessels of the adjacent harbour of Ebisuminato, in the Island of Sado, and that facilities shall be afforded both for the storage of merchandize at the latter place, and also for its conveyance from thence to Niigata.

As the preparations for the opening of the said 3 places cannot, however, be completed by the 1st day of January next, on which date the right to trade at Yedo, and at a port on the west coast might be claimed from the Japanese Government by the Undersigned and the Foreign Representatives above named, in accordance with the stipulations of their respective Treaties, the Undersigned, in common with his colleagues, has consented, at the request of the Japanese Government, to defer

the opening of Yedo, Niigata, and Ebisuminato, until the 1st day of April, 1868.

Yedo, November 26th, 1867.

HARRY S. PARKES.

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*Arrangements for the Settlement of Foreigners at Yedo.*

ART. I. Within the limits coloured red in the annexed plan, foreigners of nations having Treaties with Japan may hire houses and reside for purposes of trade. But no Japanese shall be compelled to rent any buildings to foreigners within the said limits against his will. Moreover, as the Japanese Government are willing that foreigners of those nations having Treaties with Japan should enjoy at Yedo the same facilities for leasing ground and building houses that are secured to them by Treaty at the ports, the Japanese Government are prepared to lease to foreigners for building purposes that portion of land on the same plan which is coloured blue.

II. Whenever the above named building ground shall have been occupied by foreigners, and more space is required for their use, the Japanese Government will prepare the adjoining space marked A. A. on the same plan, which in that case will be provided with a surrounding road of not less than 40 feet in width. Should more land be subsequently required, the above named building ground will be further extended, as may from time to time be desirable, within the limits coloured red.

III. Before the opening of the city to foreign trade, the Japanese Government will clear the ground coloured blue in the same plan, and will surround it with a road, which shall be properly drained, of not less than 40 feet in width. The ground within this site not required for roads will be leased to foreigners in the manner provided in Articles VI, VII, VIII, and IX, of the arrangements for the formation of foreign settlements at Hiogo and Osaka.

IV. The Japanese Government will see that the canals passing through the limits coloured red are cleared before the opening of the city to foreign trade, and are subsequently kept in good order. All expenses connected with the cleansing of these canals will be borne by the Japanese Government.

V. The Japanese Government engage to push on with all the expedition possible the foreign hotel which is being built on the site marked B. in the same plan, with a view to its being completed before the opening of the city to foreign trade. The management of the hotel will be in the hands of Japanese.

VI. The Japanese Government will construct, at the point marked C. a convenient landing place, to be provided with suitable sheds, at which all goods belonging to foreigners must be landed or shipped. As Yedo, however, is not an open port,



no foreign merchant vessel can anchor there, and all goods belonging to foreigners must be entered at the Custom-House at Yokohama, according to the Regulations of Trade attached to the Treaties, and must pay duty there, or at some other open port, before they can be imported into Yedo. For the present also, and until it shall be found convenient to collect export duties on foreign trade at Yedo, all goods exported from that city by foreigners must be cleared from and pay duty at the Custom-House at Yokohama, before they can be shipped on board any foreign vessel at that port.

VII. Lighters, tow-boats, and passage-boats, propelled by steam or sails, and belonging to foreigners, may ply between Yedo and Yokohama, for the conveyance of cargo and passengers under the Regulations annexed to this Agreement, and subject to the provisions of the Regulations of Trade attached to the Treaties.

VIII. In order to give due effect to the provisions of the Treaties, which relate to the residence of foreigners at Yedo, every foreigner coming to Yedo, unless he be an officer of a Foreign Government, and in uniform, must be furnished with a passport from the Consular authority of his nation at Yokohama, which must be viséd by the Governor of Kanagawa. Persons coming from Yokohama by land will be required to show their passports at the Ferry at Kawasaki, while those coming by sea will have to exhibit them on arriving off the forts at Yedo. Any person, other than an officer as above named, arriving at Yedo without a passport, may be arrested and conveyed before his Consul.

IX. Foreign lighters, tow-boats, and passage-boats, and all other foreign boats, with the exception of those belonging to vessels-of-war, will be required, on arriving off Yedo, to enter by the channel between the two forts marked with white beacons. Each boat must stop or heave to on passing between these forts, in order that it may be boarded by a Japanese officer. The master of each foreign boat must deliver to the boarding officer a list of all the passengers on board, and each foreign passenger must exhibit his passport to the boarding officer, if the latter requires him to do so.

X. The Japanese Government undertake to lay down marks or buoys in the above named channel, from its entrance at the two said forts to the foreign settlement.

XI. Foreigners living at Yedo shall be free to go where they please within the following boundaries, namely:—The Shintonegawa (Yedogawa), from its mouth as far as the guard-house at Kanamachi. From Kanamachi to Senji by the Mito-road. From Senji along the course of the Funitagawa to Furuya no Kamigô. From the latter place a line drawn through the following villages:—Omuro, Takakura, Koyata,

Ogiwara, Miyadéra, Ishibatake, Mitsugi and Tanaka, to Hino. From Hino to the mouth of the Tamagawa. No obstruction shall be opposed to the free circulation of foreigners either by land or water, in every part of the city of Yedo, open to the Japanese public.

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*Regulations for the Establishment of a Tow-boat, Lighter, and Passage-Boat Service, between Yedo and Yokohama.*

1st. No foreign lighter or tow-boat, or passage-boat may ply between Yedo and Yokohama, unless furnished with a licence by the Japanese Authorities.

2nd. Whenever application is made for a licence, the Governor of Kanagawa and the Consul of the nation to which the boat belongs, shall consider the application and determine whether a licence shall be granted. Each licence must be signed by the Governor, and countersigned by the Consul, and must contain a full description of the boat, in their respective languages.

3rd. Each licence must be cancelled or renewed as the Governor and Consul may determine at the expiration of each year, and a fee of one ichibu per ton measurement, payable to the Japanese Government will be charged on the issue or renewal of each licence.

4th. No licence shall be issued to any foreign boat or vessel drawing more than 6 feet of water when loaded, and no boat or vessel thus licensed may discharge or take in cargo or passengers, outside the forts at Yedo, except under unusual circumstances, and by special written permission from the Japanese authorities.

5th. The Japanese Government may put Custom-House Officers on board any licensed boat, whenever they may think proper, or may appoint officers to accompany the said boats, on the passage between Yedo and Yokohama.

6th. All goods taken on board a licensed boat at Yokohama must be accompanied by duty-paid or duty-free certificates, and all goods landed at Yedo without such certificates will be liable to seizure and confiscation.

7th. A licensed boat may only take in and discharge goods at Yedo or Yokohama, at the wharves indicated by Japanese authorities, or by means of boats authorized for the purpose by the Japanese Government.

8th. No licensed boat may be employed in any other way than for the conveyance of goods and passengers, or the towage of licensed boats between Yedo and Yokohama; nor may they communicate with any other place, or with any native or foreign vessel on the passage.

9th. The foreign crews of licensed boats or vessels, with the exception of the masters, will not be allowed to land at Yedo.

10th. Any breach of these Regulations, or of any other Regulations that may subsequently be made on this subject, may be punished by forfeiture of licence, in addition to such penalty as may be imposed by the Consul of the nation to which the boat belongs, under the powers vested in him by his Government for securing the observance of Treaties and Conventions by his countrymen.

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*Arrangement for the Settlement of Foreigners at Niigata and Ebisuminato.*

ART. I. The Japanese Government will construct at Ebisuminato, in the Island of Sado, proper warehouse accommodation in accordance with the requirements of the trade, in which foreign imports may be stored rent free for the space of 30 days.

II. Efficient lighters shall be constructed for the landing and shipping of merchandize at Niigata and Ebisuminato. Lighters shall also be constructed for the safe conveyance of merchandize between Niigata and Ebisuminato. A fair charge shall be made for lighterage.

III. In order to facilitate communication between Niigata and Ebisuminato, the Japanese Government will provide steamers for the conveyance of passengers and merchandize, as well as for the towage of lighters between those places. A fair charge shall be made for these services, but foreigners shall be at liberty to employ steamers and lighters of their own for these purposes.

IV. In case it should be found inconvenient to land and ship merchandize on the sea shore at Ebisuminato, the Japanese Government will open a passage into the lake at the back of the town.

V. The Japanese Government will erect a suitable lighthouse near the mouth of the river at Niigata, and place therein a light of the first order. Marks or buoys will be placed on the bar, in order to facilitate the passage in and out of the river.

VI. Bonded warehouses shall be erected at Niigata in the same manner as at the other ports, and a convenient landing-place for the landing or shipping of goods shall be constructed.

VII. Foreigners may freely rent or purchase from Japanese at Niigata and Ebisuminato, lodgings, residences or godowns. They may also freely lease land for their lawful requirements at both these places. No special settlements will be constructed. At Niigata foreigners may lease land within the

limits formed by the sea and by the river on the north and east of the town and on the south and west by the boundary posts of the present jurisdiction of the Governor of Niigata. Rice fields, arable land and other ground paying tribute to the Government, shall not be rented directly from the Japanese holders, without application first being made to the Governor for his permission.

VIII. At Niigata the limits within which foreigners may go shall be settled at 10 ri more or less in any direction from the Governor's official residence, according to the positions of the rivers and other natural objects. No limits will be fixed in the Island of Sado.

BRITISH NOTIFICATION, *of the Opening of the Port of Hiogo and of the City of Osaka to British Trade.* Osaka, January 1, 1868.

THE Undersigned hereby makes known to all subjects of Her Britannic Majesty, that the port of Hiogo and the city of Osaka are this day opened to British trade, in accordance with the stipulations of the London agreement of the 6th of June, 1862,\* by which the execution of the provisions of the Treaty of Yedo in respect to the said port and city was deferred until this date.

The regulations of Trade attached to the said Treaty will therefore come into effect at Hiogo on and from this date, in the same manner as at the other open ports; and the Undersigned has agreed with the Japanese Government that British trade at Osaka shall be conducted in accordance with the annexed regulations, until experience shall show in what manner these may be advantageously modified.

Pending the receipt of Her Majesty's Commissions, Francis Gerard Myburgh, Esquire, now Her Majesty's Consul at Kanagawa, will officiate as Consul for the Consular district of Hiogo and Osaka, and John Frederick Lowder, Esquire, will act as Vice-Consul for the same district. The Consul will for the present be stationed at the port of Hiogo, and the Vice-Consul at the city of Osaka.

The Undersigned has to direct the attention of Her Majesty's subjects to his Notification of the 17th of May, 1867, as containing the conditions upon which building land may be leased by British subjects at Hiogo and Osaka, and in order to estimate the number of lots that should be put up at the first public sale, it is desirable that British subjects wishing to lease land

\* See Page 586.



at either of these places, should signify their intention to the Consul or Vice-Consul respectively at an early date.

HARRY S. PARKES, *Her Britannic Majesty's  
Envoy Extraordinary and Minister  
Plenipotentiary in Japan,*

*Her Britannic Majesty's Legation,  
Osaka, January 1, 1868.*

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*Regulations for the Trade and Residence of Foreigners at Osaka.*

ART. I. As Osaka is not an open port, no foreign merchant vessel can anchor there. Until arrangements shall be made for the establishment of a Custom-house at Osaka, foreigners wishing to import goods into that city must enter them at the Custom-house at Hiogo according to the regulations of trade attached to the Treaties, and must pay duty there unless duty has already been paid on the same at some other open port of Japan. In the same way, all goods exported from Osaka by foreigners must also be cleared from, and pay duty at Hiogo, before they can be shipped on board any foreign vessel at that port.

II. Lighters, tow-boats, and passage-boats, propelled by steam or sails, and belonging to foreigners, may ply between Hiogo and Osaka for the conveyance of cargo and passengers under the regulations hereto annexed, and subject to the provisions of the regulations of Trade attached to the Treaties.

III. Foreigners living at Osaka shall be free to go where they please within the following boundaries, namely:—On the south the Yamatogawa from its mouth as far as Funabashimura; and a line drawn from that place through Kiokojimura to Sada. The town of Sakai is outside the limits, but foreigners will be at liberty to visit it. The road between Osaka and Hiogo lies outside the limit of 10 ri from Kyoto. No obstruction shall be opposed to the free circulation of foreigners either by land or water in every part of the city of Osaka open to the Japanese public.

IV. The foregoing Articles may be revised at the end of 6 months, or earlier should it be deemed necessary.

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*Regulations for the Establishment of a Towboat, Lighter, and  
Passage Boat Service between Hiogo and Osaka.*

1st. No foreign lighter, tow-boat or passage boat may ply between Hiogo and Osaka, unless furnished with a licence by the Japanese authorities.

2nd. Whenever application is made for a licence the Governor of Hiogo and the Consul of the nation to which the boat belongs, shall consider the application and determine whether a

licence shall be granted. Each licence must be signed by the Governor, and countersigned by the Consul, and must contain a full description of the boat in their respective languages.

3rd. Each licence must be cancelled or renewed as the Governor and Consul may determine at the expiration of each year, and a fee of 1 ichibu per ton measurement, payable to the Japanese Government, will be charged on the issue or renewal of each licence.

4th. No licence shall be issued to any foreign boat or vessel drawing more than 8 feet of water.

5th. The Japanese Government may put Custom-house officers on board any licensed boat whenever they may think proper, or may appoint officers to accompany the said boats, on the passage between Hiogo and Osaka.

6th. All goods taken on board a licensed boat at Hiogo must be accompanied by duty-paid or duty-free certificates, and all goods landed at Osaka, without such certificates, will be liable to seizure and confiscation.

7th. A licensed boat may only take in and discharge goods at Hiogo or Osaka at the wharves indicated by the Japanese authorities, or by means of boats authorized for the purpose by the Japanese Government.

8th. No licensed boat may be employed in any other way than for the conveyance of goods and passengers, or the towage of licensed boats between Hiogo and Osaka, nor may they communicate with any other place, or with any native or foreign vessel on the passage.

9th. The foreign crews of licensed boats or vessels, with the exception of the masters, will not be allowed to land at Osaka.

10th. Any breach of these regulations, or of any other regulations that may subsequently be made on this subject, may be punished by forfeiture of licence in addition to such penalty as may be imposed by the Consul of the nation to which the boat belongs under the powers vested in him by his Government for securing the observance of Treaties and Conventions by his countrymen.

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BRITISH NOTIFICATION, *containing Regulations for the Government of British Subjects at Hiogo and Osaka.* Osaka, January 1, 1868.

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It being necessary, on the opening of Hiogo and Osaka to British trade, that due provision should simultaneously be made for the peace, order, and good government of Her Britannic Majesty's subjects resorting to, or becoming resident in

that port or city, the Undersigned hereby notifies for the information of all subjects of Her Majesty, that in the exercise of the powers vested in him by the 85th clause of the Order of Her Majesty in Council of the 9th day of March, 1865,\* he has this day made and established and caused to be printed and to be exhibited in the British Consular Offices at Hiogo and Osaka, the following regulations, which will have effect in the manner provided by the said Order in Council, throughout the Consular district of Hiogo and Osaka until the pleasure of Her Majesty thereon shall be made known.

Any breach of these regulations may be punished by any of the following penalties, as provided by the 86th clause of the said Order in Council, namely :—For each offence, imprisonment for any term not exceeding 3 months, with or without hard labour, and with or without a fine not exceeding 500 dollars, or a fine not exceeding 500 dollars, without imprisonment, and with or without further fines for continuing offences not exceeding in any case 25 dollars for each day during which the offence continues after the original fine is incurred.

HARRY S. PARKES, *Her Britannic Majesty's  
Envoy Extraordinary and Minister  
Plenipotentiary in Japan.*

*Her Britannic Majesty's Legation,  
Osaka, January 1, 1868.*

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*Regulations.*

I. Every British vessel on entering the port must show her colours, and keep them hoisted until the master shall have reported her arrival and deposited her papers at the Consulate Office.

II. Masters of ships on depositing their ship's papers at the Consulate Office must also deliver a copy of the import manifest, together with a list of all passengers and persons not forming part of the registered crew on board.

III. When a vessel is ready to leave the port, the master will obtain a port clearance from the Custom-house, which document, together with the manifest of his export cargo, and a list of persons not forming part of the crew intending to leave the port in his vessel, must be delivered at the Consulate Office before the ship's papers can be returned to him. Masters of British vessels must always give 24 hours' notice before they can clear at the Consulate.

IV. Stones, ballast, cinders, or any other substance tending to lessen the depth of the anchorage, shall not be thrown overboard within the limits of the harbour; but must be discharged at such place or places as shall be indicated by the Consul.

\* See Page 281.

V. Any vessel having on board gunpowder or any other explosive substance in any quantity over and above that which is required for the use of the ship, must report the same at the Consulate Office, and until it is discharged must anchor only in such berth as shall be assigned to her.

VI. Cannon or fire-arms may not be fired from British merchant vessels in the harbour.

VII. The time within which seamen are allowed to be on shore is limited to the hours between sunrise and sunset.

VIII. No boat or vessel (other than a duly registered British ship) shall hoist the British ensign within the limits of the Consular district, unless authorized by the Consul to do so; nor shall she exhibit within such limits any flag so similar to the British ensign as not to be distinguishable from it. Neither shall any British subject hoist the British ensign, or any other flag not distinguishable from it, over any place or residence on shore without special authority from the Consul.

IX. All cases of death occurring, either afloat or on shore, must be immediately reported at the Consulate office.

X. No British subject may establish a boarding-house, eating-house, or other place of entertainment, or a butcher's shop, or may keep or slaughter pigs, sheep, or cattle without the sanction of the Consul, and under such conditions as he may require.

XI. Gunpowder or other explosive substances can only be stored, on shore or afloat, at such place or places as may be indicated by the Consul.

XII. No British subject may ride or drive in any street, road, or public thoroughfare in a furious or careless manner.

XIII. No dog belonging to a British subject shall be allowed to go about the streets or public thoroughfares unmuzzled, between the 15th of June and the 15th of September of each year.

XIV. At Hiogo, British subjects may not go beyond the limits laid down in the Treaty of Yeddo, namely, 10 ri in any direction, that of Kyoto excepted, which city shall not be approached nearer than "10 ri;" and at Osaka they may not go beyond the limits laid down in the regulations on this subject, which are published in a notification by Her Majesty's Minister of this date.

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*Notification issued by the Governor of Osaka.*

In accordance with what has previously been notified, the city of Osaka and the port of Hiogo are opened to foreign trade from January 1st. You can therefore enter freely into commercial transactions. You must obey the laws and endeavour to maintain a friendly feeling.



In consequence of the opening of the city of Osaka, you may freely agree with foreigners to hire yourselves to them for any species of employment whatsoever.

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*Notification issued by the Governor of Hiogo.*

Those who make their living by wood, water, provisions, the labour of coolies, and any other commodity, without exception, are, unrestrictedly and as it may suit them, permitted to trade, not only with foreigners who land, but also to supply the requirements of the ships.

*Hiogo, December 26, 1867.*

HINGA.

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BRITISH NOTIFICATION, *relative to the postponement of the Opening of Yedo and Niigata to British Subjects. Hiogo, March 28, 1868.*

As the changes which are at present taking place in the constitution of the Government of Japan may disturb for a time the general security of Yedo and Niigata, the Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan, entertains the opinion that it would be unsafe for British subjects to take up their residence at that city and port until affairs are in a more settled condition.

He has accordingly to make known to all subjects of Her Britannic Majesty, that execution of the arrangements for the opening of that city and port to British trade on the 1st proximo is temporarily deferred, and that further notice will be issued as soon as it is considered that British subjects may safely reside and trade at these places.

HARRY S. PARKES.

*Her Britannic Majesty's Legation,  
Hiogo, March 28, 1868.*

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BRITISH ORDER IN COUNCIL, *prohibiting British Subjects from taking part in Hostilities between the Mikado and other Belligerents within the Japanese Dominions. May 14, 1868.*

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*At the Court at Windsor, the 14th day of May, 1868.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS an Act of Parliament was passed in the session of the 6th and 7th years of Her Majesty's reign, chapter 94,\* "To remove doubts as to the exercise of power and jurisdiction by

\* See Vol. 6. Page 500.

Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual:"

And whereas by the said Act it was enacted, amongst other things, that it was, and should be, lawful for Her Majesty to hold, exercise, and enjoy, any power or jurisdiction which Her Majesty then had, or might at any time thereafter have, within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory:

And whereas Her Majesty has had and now has by Treaty, usage, sufferance, and other lawful means, power, and jurisdiction within the Japanese dominions:

And whereas Her Majesty has been pleased from time to time, by and with the advice of Her Privy Council, by Orders in Council, to make provision for the exercise of Her Majesty's said power and jurisdiction, and to ordain laws and ordinances for the peace, order, and good government of Her Majesty's subjects within the Japanese dominions, and for the constitution of certain courts for enforcing obedience to such laws and ordinances:

And whereas hostilities have unhappily commenced, and are being carried on between the Mikado and other belligerents within the Japanese dominions, and whereas Her Majesty is at peace with the Government of Japan; and whereas it has seemed to Her Majesty, by and with the advice of her Privy Council, to be expedient for the peace, order, and good government of Her Majesty's subjects, being within the Japanese dominions, and for maintaining a strict neutrality in such dominions during such hostilities as aforesaid, to make and ordain such rules and orders as hereinafter mentioned.

Now, therefore, Her Majesty is pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered as follows:—If any British subject shall during such hostilities as aforesaid, without the licence of Her Majesty (proof whereof shall lie on the party accused), take part in any operation of war in the service of the Mikado, or of any Power or person engaged in carrying on such hostilities as aforesaid, or shall aid or abet any or either of the contending parties in carrying on such hostilities as aforesaid, by delivering or causing to be delivered to them, or either of them, any ship or vessel equipped, furnished, fitted out or armed with intent or in order that such ship or vessel should be employed in the military or naval service of either of the said contending parties, against the other of such contending parties, every person so offending shall be guilty of a misdemeanor, and on conviction thereof, shall be liable (in the discretion of the Court before which he is convicted) to be punished by imprisonment for any term not

exceeding two years, with or without hard labour, and with or without a fine not exceeding 5,000 dollars, or by a fine not exceeding 5,000 dollars without imprisonment.

And the Right Honourable Lord Stanley, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ARTHUR HELPS.

BRITISH NOTIFICATION, *announcing the opening of the Port of Osaka to the shipping of Treaty Powers, from the 1st of September, 1868. Yokohama, July 30, 1868.*

THE Undersigned hereby makes known to Her Britannic Majesty's subjects that the Government of the Mikado have consented to open the port of Osaka to the shipping of Treaty Powers, from the 1st day of September next.

By this arrangement, Articles I and II of the Regulations for the Trade and Residence of Foreigners at Osaka, published by the undersigned in his notification of the 1st day of January, 1868,\* are cancelled, and on and after the 1st day of September next, British vessels may anchor and trade at Osaka, subject to the regulations (attached to the Treaty) under which British trade is conducted at the open ports of Japan.

HARRY S. PARKES, *Her Britannic Majesty's  
Envoy Extraordinary and Minister  
Plenipotentiary in Japan.*

*Her Britannic Majesty's Legation,  
Yokohama, July 30, 1868.*

BRITISH NOTIFICATION, *relative to the postponement of the opening of the Port of Niigata. September 12, 1868.*

WITH reference to the Notification issued by the Undersigned on March 28,† and that issued by Her Majesty's Consul on June 25th last, relating to Niigata, the Undersigned has now to inform British subjects that the Japanese Government have protested against foreigners or foreign merchant vessels resorting to that port, before it has been opened to foreign trade, and have declared that in the present state of war which prevails in that neighbourhood they cannot be responsible for the security of any foreigner who may proceed there.

The Undersigned accordingly notifies this information to all subjects of Her Britannic Majesty, and hereby warns them that as Niigata has not yet been opened to foreign trade, any British

\* See Page 1160.

† See Page 1168.

subject proceeding to that port does so at his own risk, and cannot claim while thus engaged the protection of Her Majesty's Government.

HARRY S. PARKES.

*Her Britannic Majesty's Legation,*  
September 12, 1868.

BRITISH NOTIFICATION, *relative to the Opening of Yedo and Niigata to British Trade on the 1st January, 1869, and modifying the Regulations annexed to the Notification of 26th November, 1867.\** Yokohama, December 24, 1868.

WITH reference to the Notifications issued by the Under-signed, on the 28th of March† and the 12th of September last,‡ informing British subjects that the opening of Yedo and Niigata had been temporarily deferred in consequence of the insecurity which then existed at those places, he has now to make known that that city and port will be opened to the British trade on the 1st of January next, and that he has agreed, on the part of Her Britannic Majesty's Government, to the following modifications in Articles VIII and IX of the Arrangements for the Settlement of Foreigners at Yedo, which were published in his Notification of November 26, 1867.

*Articles VIII and IX as now modified.*

Article VIII. In order to give due effect to the provisions of the Treaties which relate to the residence of foreigners at Yedo, every foreigner coming to Yedo, unless he be an officer of a foreign government and in uniform, must be furnished with a passport from the Consular authority of his nation at Yokohama, which must be vised by the Hanji of Kanagawa. Foreigners coming from Yokohama by land will be required to show their passports at the ferry at Kawasaki, while those coming by sea must not land elsewhere than at either of the two landing places at Tamachi and Tsukiji, and must produce their passports on landing whenever required to do so by a Japanese officer. Any foreigner, other than an officer as above named, arriving at Yedo without a passport, may be arrested and conveyed before his Consul.

“Article IX. Foreign lighters, tow-boats, and passage boats, and all other foreign boats, with the exception of those belonging to vessels of war, will be required, on arriving off Yedo, to enter by the channel between the two forts marked with white beacons.”

It being considered undesirable that foreigners visiting or residing at Yedo should, under present circumstances, frequent

\* See Page 1153.

† See Page 1163.

‡ See Page 1165.



the quarter comprised within the inner moat of the city, or should proceed into the country around Yedo to the extent of the limits described in Article XI of the Arrangements aforesaid, British subjects are hereby warned that they should avoid entering the quarter named until further notice, and that they should not proceed into the country beyond the limits shown on a map which will be exhibited at Her Britannic Majesty's Vice-Consulate at Yedo.

John Frederic Lowder, Esq., at present Her Britannic Majesty's Acting Consul for the Consular District of Osako and Hiogo, is appointed to act as Her Britannic Majesty's Consul at Niigata, and William Willis, Esq., M.D., Her Britannic Majesty's Vice-Consul for the Consular District of Yedo and Kanagawa, will for the present be stationed at Yedo.

HARRY S. PARKES, *Her Britannic Majesty's  
Envoy Extraordinary and Minister  
Plenipotentiary in Japan.*

*Her Britannic Majesty's Legation,  
Yokohama, December 24, 1868.*

## MADAGASCAR.

BRITISH ORDER IN COUNCIL, *for the Apprehending and  
Delivering up of Seamen Deserters from the Merchant Vessels  
of Madagascar, in the British Dominions. December 28, 1866.*

*At the Court at Osborne House, Isle of Wight, the 28th day of  
December, 1866.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Foreign Deserters' Act, 1852,"\* it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering or apprehending seamen who desert from British merchant ships in the territories of any Foreign Power, Her Majesty may, by Order in Council, stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to such Power when within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient; and whereas it has been made to appear to Her

\* See Vol. 9. Page 347.

Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of Her Majesty the Queen of Madagascar :

Now, therefore, Her Majesty, by virtue of the powers vested in her by the said "Foreign Deserters' Act, 1852," and by and with the advice of her Privy Council, is pleased to order and declare, and it is hereby ordered and declared that from and after the publication hereof in "The London Gazette," seamen, not being slaves, and not being British subjects, who within Her Majesty's dominions desert from merchant ships belonging to the Kingdom of Madagascar, shall be liable to be apprehended and carried on board their respective ships :

Provided always, that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

And the Right Honourable the Earl of Carnarvon, the Right Honourable Viscount Cranborne, and the Right Honourable Spencer Horatio Walpole, 3 of Her Majesty's Principal Secretaries of State, are to give the necessary directions accordingly.

EDMUND HARRISON.

BRITISH ORDER IN COUNCIL, *for the Regulation of British Consular Jurisdiction, within the Dominions of the Queen of Madagascar.* May 17, 1867.

*At the Court at Osborne House, Isle of Wight, the 17th day of May, 1867.*

PRESENT : THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the session of Parliament holden in the 6th and 7th years of Her Majesty's reign,\* intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual," it is, amongst other things, enacted that it is and shall be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty now hath, or may at any time hereafter have, within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory.

And whereas Her Majesty hath power and jurisdiction in the dominions of Her Majesty the Queen of Madagascar ;

And whereas it is expedient to make provision for the due and effectual exercise of such power and jurisdiction :

See Vol. 6. Page 500.

1. Now, therefore, in pursuance and by virtue of the said recited Act of Parliament, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that Her Majesty's Consuls appointed to reside in the dominions of the Queen of Madagascar shall have full power and authority to carry into effect, and to enforce by the means and in the manner hereinafter mentioned and provided, the observance of the stipulations of the Treaty of June 27, 1865,\* or of any regulations appended to that Treaty, or any which may hereafter be made between Her Majesty, her heirs and successors, and the Queen of Madagascar, her heirs and successors; and to make and to enforce, by fine or imprisonment, or both, rules and regulations for the observance of the stipulations of any such Treaty, and for the peace, order, and good government of Her Majesty's subjects being within the dominions of the Queen of Madagascar, her heirs and successors.

2. And it is further ordered, that a copy of all such rules and regulations made by the said Consul shall forthwith be affixed, and kept affixed and exhibited in some conspicuous place in the public office of the said Consul, and that printed copies of the said rules and regulations shall, as soon as possible, be provided by the said Consul, and sold at a price not exceeding one dollar for each copy; and for the purpose of convicting any person offending against the said rules and regulations, and for all other purposes of law whatsoever, a printed copy of the said rules and regulations certified under the hand of the said Consul to be a true copy thereof, shall be taken as conclusive evidence of such rules and regulations and all things therein respectively contained, and no penalty shall be incurred or shall be enforced for the breach of any such rules and regulations to be hereafter made, until the same shall have been so affixed and exhibited for one calendar month in the public office of the Consul: Provided always, that any such rule or regulation made by Her Majesty's Consul, and to be enforced by a penalty, shall, before the first day on which the same shall be so affixed or exhibited, be transmitted to Her Majesty's Principal Secretary of State for Foreign Affairs for allowance or disallowance; and if any such rule or regulation shall be disallowed by Her Majesty's Principal Secretary of State for Foreign Affairs, the same shall cease to have effect from the receipt by the Consul of such disallowance; nevertheless, the Consul shall not be liable to be proceeded against in any of Her Majesty's courts in regard to any act done by him under such rule or regulation previously to the receipt of its disallowance by such Consul.

3. And it is further ordered, that it shall be lawful for Her Majesty's Consul as aforesaid, upon information or upon the

\* See Page 634.

complaint of any person that a British subject has violated any of the stipulations of any Treaty, or of any regulations appended to any Treaty, between Her Majesty and the Queen of Madagascar, or has disregarded or infringed any of the rules or regulations for the observance of the stipulations of any such Treaty affixed and exhibited according to the provisions of the next preceding Article of this Order, to summon before him the accused person and to receive evidence and to examine witnesses on oath, as to the guilt or innocence of such person in regard to the offence laid to his charge, and to award such penalty of fine or imprisonment against any person convicted of an offence against any such Treaty or appended regulations, or against the said rules and regulations, as may be specified therein respectively; and any charge against a British subject for a breach of any such Treaty, or appended regulations, or for a breach of such rules and regulations for the observance of any such Treaty, shall be heard and determined by the Consul without assessors: Provided always, that in no case shall the penalty to be incurred by a breach of such rules and regulations exceed 500 dollars, or 3 calendar months' imprisonment.

4. And it is further ordered, that any charge against a British subject for a breach of rules and regulations other than those relating to the observance of Treaties shall, in like manner, be heard and determined by Her Majesty's Consul; and in all cases in which the penalty shall not exceed 200 dollars, or one calendar month's imprisonment, the Consul shall hear and determine the charge summarily without the aid of assessors; but where a penalty attached to a breach of the rules and regulations other than those relating to the observance of Treaties shall amount to more than 200 dollars, or to imprisonment for more than one calendar month, the Consul, before he shall proceed to hear the charge, shall summon two disinterested British subjects of good repute to sit with him as assessors, which assessors, however, shall have no authority to decide on the innocence or guilt of the person charged, or on the amount of fine or imprisonment to be awarded to him on conviction, but it shall rest with the Consul to decide on the guilt or innocence of the person charged, and on the amount of fine or imprisonment to be awarded to him: Provided always, that in no case shall the penalty to be attached to a breach of rules and regulations other than those for the observance of Treaties exceed 500 dollars, or 3 calendar months' imprisonment; and provided further, that in the event of the said assessors, or either of them, dissenting from the conviction of the party charged, or from the penalty of fine or imprisonment awarded to him by the Consul, the Consul shall take a note of such dissent, with the grounds thereof, and shall require good and sufficient security for the appearance of the person convicted at a future



time, in order to undergo his sentence or receive his discharge; and in default of such security being given, it shall be lawful for the Consul to cause the person to be detained in custody until such security is given.

5. And it is further ordered, that if any person who shall have committed or been charged with any breach of or offence against the Treaty, or any such rules and regulations as aforesaid, shall escape or remove from the Consular District within which the fact was committed, and shall be found within another Consular District, it shall be lawful for the Consul within which district such person shall be so found, to proceed against him in the same manner as if the fact had been committed within such district.

6. And it is further ordered, that all suits, disputes, differences, and causes of litigation of a civil nature arising between British subjects within the dominions of the Queen of Madagascar, shall be heard and determined by Her Majesty's Consul, who shall be the sole judge and arbiter thereof respectively; subject nevertheless to an appeal against the decision of the Consul therein to the High Court of the Mauritius, in cases where the sum or matter at issue is of the amount or value of 200 dollars or upwards: Provided always, that the party intending so to appeal against the decision of the said Consul shall, within 15 days after the determination of the case by the Consul, by himself or his agent, give to the Consul notice in writing of his appeal to the said High Court of the Mauritius; whereupon the Consul shall, as speedily as possible, transmit to the said High Court all the documents which were produced before him in the case, and none other, together with a statement of the evidence taken before him in the case and of the grounds on which his decision was formed, and shall forthwith notify to the several parties the transmission of the said proceedings to the said High Court; Provided also, that it shall be lawful for the Consul to require from any person so appealing to the said High Court reasonable security, to consist in part of one or two sufficient sureties, to be approved by the Consul, that such person so applying will duly prosecute his appeal, and will abide by the decision to be given therein by the said High Court, and that in case such appeal shall fail, he will answer and satisfy all costs, loss, and damages sustained by the other party by reason of such appeal.

7. And it is further ordered, that it shall be lawful for Her Majesty's Consul to summon not less than two, and not more than four, disinterested British subjects of good repute to sit with him as assessors at the hearing of any suit, dispute, difference, or cause of litigation whatever of a civil nature brought before him for decision; and in case the sum sought to be recovered shall exceed 500 dollars, such suit shall not be heard

by the Consul without assessors, if within a reasonable time such assessors can be procured: but the assessors aforesaid shall have no authority to decide on the merits of such suit; but in the event of such assessors, or any of them, dissenting from the decision of the Consul, the Consul shall enter the fact of such dissent and the grounds thereof in the minutes of the proceedings, and in case of appeal shall transmit the same to the High Court of the Mauritius together with the documents relating to the suit.

8. And it is further ordered, that it shall be lawful for Her Majesty's Consul to enforce his decision in favour of or against a British subject in a civil suit, dispute, difference, or cause of litigation, by distress and sale, or imprisonment, in like manner as a decision of the High Court of the Mauritius, in a civil suit is enforced within the same.

9. And it is further ordered, that in case of an appeal to the High Court of the Mauritius from the decision of Her Majesty's Consul, it shall be lawful for the said High Court, upon such terms as to costs and otherwise as it shall think proper, to admit any further legal evidence besides that adduced before the Consul, on its being established to the satisfaction of the said High Court, by oath or affidavit, that the party desiring to produce such further evidence was ignorant of the existence of such evidence, or was taken by surprise at the hearing before the Consul, or was unable to produce it before the Consul after due and reasonable diligence and exertion on his part, or where, under the circumstances of the case, it shall appear to the said High Court that further evidence ought to be received.

10. And it is further ordered, that Her Majesty's Consul shall have power in any civil suit, dispute, difference, or cause of litigation, to examine on oath, or in such form and with such ceremonies as the witness may declare to be binding on his conscience, any witness who may appear before him, and shall have power, on the application of any party in such suit, to issue a compulsory order for the attendance of any person being a British subject who may be competent to give evidence in such suit: and any British subject who shall have been duly served with any such compulsory order, and with a reasonable notice of the day of hearing of such suit, and upon his expenses of appearing as a witness having been paid or tendered to him by the party at whose application he shall have been ordered to attend, shall, on his wilful default to appear as a witness at the hearing of such suit, be punished with a fine not exceeding 100 dollars, or with imprisonment for a period not exceeding 30 days, at the discretion of the said Consul.

11. Every witness, being a British subject, so examined on oath, whether before the Consul or before an officer duly authorized by Her Majesty the Queen of Madagascar to act judicially,

who shall in any such examination give wilfully false testimony, may be convicted of and punished for the crime of wilful and corrupt perjury.

12. And it is further ordered, that it shall be lawful for Her Majesty's Consul to promote the settlement of any civil suit, dispute, difference, or cause of litigation, by amicable agreement between the parties; and, with the consent of the several parties, to refer the decision of a suit or contention to one or more arbitrators, and to take security from the parties that they will be bound by the result of such arbitration; and the award of such arbitrator or arbitrators shall be, to all intents and purposes, deemed and taken to be a judgment or sentence of Her Majesty's Consul in such civil suit, dispute, difference, or cause of litigation, and shall be entered and recorded as such, and shall have the like effect and operation, and shall be enforced accordingly, and shall be final and conclusive to all intents and purposes, and shall not be open to appeal, unless the same shall, within a reasonable time, have been ordered by the Consul to be set aside, on the ground that it is not final, or is defective, or that the arbitrator or arbitrators have exceeded their authority, or have been guilty of misconduct in the matter.

13. And it is further ordered, that it shall be lawful for Her Majesty's Consul to cause to be apprehended and brought before him any British subject who may be charged with having committed any crime or offence within the dominions of the Queen of Madagascar: and such Consul shall thereupon proceed with all convenient speed to inquire into the same, and for such purpose shall have power to examine on oath, or in such form and with such ceremony as the witness shall declare to be binding on his conscience, any witness who may appear before him to prove the charge, and also shall have power to compel any person, being a British subject, who may be competent to give evidence as to the guilt or innocence of the party so charged to appear and give evidence, and to punish the wilful default of any such person to appear and give evidence, after reasonable notice of the day of the hearing of such charge, by fine or imprisonment, in like manner as is provided in Article X of this Order, and shall examine every such witness in the presence and hearing of the party accused, and shall afford the party accused all reasonable facility for cross-examining such witness, and shall cause the deposition of every such witness to be reduced to writing, and the same to be read over, and if necessary, explained to the party accused, together with any other evidence that may have been urged against him during the course of the inquiry, and shall require such accused party to defend himself against the charge brought against him, and, if necessary, advise him of the legal effect of any voluntary confession, and shall take the evidence



of any witness whom the accused party may tender to be examined in his defence; and every witness, being a British subject, so examined as aforesaid, who shall upon any such occasion give wilfully false testimony, may be convicted of, and punished for, the crime of wilful and corrupt perjury; and when the case has been fully inquired into, and the innocence or guilt of the person accused has been established to the satisfaction of the Consul, the Consul, as the case may be, shall either discharge the party accused from custody, if satisfied of his innocence, or proceed to pass sentence on him, if satisfied of his guilt; and it shall be lawful for the Consul, having inquired of, tried, and determined in the manner aforesaid any charge which may be brought before him, to award to the party convicted any amount of punishment not exceeding imprisonment for 1 calendar month, or a fine of 200 dollars.

14. And it is further ordered, that, if the crime or offence whereof any person, being a British subject, may be accused before Her Majesty's Consul as aforesaid, shall appear to such Consul to be of such a nature as, if proved, would not be adequately punished by the infliction of such punishment as aforesaid, it shall be lawful for such Consul to summon not less than 2, or not more than 4, disinterested British subjects of good repute to sit with him as assessors for inquiring of, trying, and determining the charges against such person; and the Consul when he shall try any such charge with the assistance of assessors as aforesaid shall, if he is himself convinced of the guilt of the party accused, have power to award any amount of punishment not exceeding imprisonment for 12 calendar months, or a fine of 1,000 dollars; and the assessors aforesaid shall have no authority to decide on the innocence or guilt of the party accused, or on the amount of punishment to be awarded to him on conviction; but, in the event of the said assessors, or any of them, dissenting from the conviction of, or from the amount of punishment awarded to, the accused party, the assessors or assessor so dissenting shall be authorized to record in the minutes of the proceedings the grounds on which they or he may so dissent, and the Consul shall forthwith report to the High Court at the Mauritius the fact of such dissent, and of its having been so recorded in the minutes of the proceedings, and shall, as soon as possible, lay before the said Court copies of the whole of the depositions and proceedings, with the dissent of the assessor or assessors recorded therein; and it shall be lawful thereupon for the Court, by warrant under seal addressed to the Consul, to confirm, or vary, or remit altogether as to the Court may seem fit, the sentence and punishment awarded to the party accused, and such Consul shall give immediate effect to the injunction of any such warrant: Provided always, that in any case in which the assessor or assessors



shall dissent from the conviction of, or from the amount of punishment awarded to, the accused party, it shall be lawful for Her Majesty's Consul to take good and sufficient bail from the accused party to appear and undergo the punishment awarded to him, provided the same or any portion thereof be confirmed by the Court, which punishment so confirmed shall commence and take effect from the day on which the decision of the Court shall be notified to the party accused.

15. And in order more effectually to repress crime and offences on the part of British subjects within the dominions of the Queen of Madagascar, it is further ordered, that it shall and may be lawful for Her Majesty's Consul to cause any British subject who shall be found guilty of having openly offended against the laws of Madagascar, or who shall have been twice convicted before him of any crime or offence, and punished for the same, and who, after the execution of the sentence of the Consul, shall not be able to find good and sufficient security to the satisfaction of the Consul for his future good behaviour, or who, having been deported under any sentence, shall during such sentence return, to be sent out of the dominions of the Queen of Madagascar; and to this end the Consul shall have power and authority, as soon as may be practicable after execution of the sentence to send any such person to the Mauritius, and in the meantime to detain such party in custody until a suitable opportunity for sending him out of the dominions of the Queen of Madagascar shall present itself; and any persons so to be sent out of the said dominions as aforesaid shall be embarked in custody on board of one of Her Majesty's vessels of war, or, if there shall be no such vessel available for such purpose, then on board any British vessel bound to the Mauritius; and it shall be lawful for the Commander of any of Her Majesty's ships of war, or of any British vessel bound to the Mauritius, to receive any such person as aforesaid under a warrant from the Consul to him addressed, and thereupon to convey such person in custody to the Mauritius as aforesaid, in the same manner as if he were a distressed British subject, unless he shall be willing and able himself to defray the expenses of his passage.

16. And it is further ordered, that in any case in which any British subjects shall be accused before Her Majesty's Consul of the crime of arson, or housebreaking, or cutting and maiming, or stabbing or wounding, or of any assault endangering life, or of wilfully causing any bodily injury dangerous to life, or of wilful or corrupt perjury, or of engaging in or being accessory to the purchase or sale of slaves, or of having slaves illegally in his possession, the proceedings before the Consul shall be carried on with the aid of assessors convened in the manner aforesaid; and it shall be lawful for the Consul, if to him it shall seem fit, to cause any person convicted before him of any of the

crimes aforesaid, over and above any fine or imprisonment which may be awarded to such person, to be sent out of the dominions of the Queen of Madagascar for such time as to him shall seem meet, in the manner pointed out in the next preceding Article of this Order, notwithstanding the crime laid to the charge of such person may be the first of which he has been convicted before the Consul.

17. And it is further ordered, that it shall be lawful for Her Majesty's Consuls within the dominions of the Queen of Madagascar, upon information laid before him by one or more credible witnesses that there is reasonable ground to apprehend that any British subject is about to commit a breach of the public peace, to cause such British subject to be brought before him, and to require such British subject to give sufficient security to keep the peace; and in the event of any British subject being convicted of, and punished for, a breach of the peace, to cause such British subject, after he shall have undergone the punishment which may have been awarded to him by the Consul, to find security for his good behaviour; and in the event of any British subject who may be required as aforesaid to give sufficient security to keep the peace, or to find security for his good behaviour, being unable or wilfully omitting to do so, then and in any such case it shall be lawful for Her Majesty's Consul to send such British subject out of the dominions of the Queen of Madagascar, in the manner pointed out in Article XV of this Order.

18. And it is further ordered, that in all cases in which a British subject shall have been sent out of the dominions of the Queen of Madagascar as provided in the 3 next preceding Articles of this Order, the Consul sending him out shall forthwith report such act of deportation, with the grounds of his decision thereon, to the High Court at the Mauritius.

19. And it is further ordered, that it shall be lawful for Her Majesty's Consul to cause to be apprehended and brought before him any British subject who may be charged with smuggling or importing into the dominions of the Queen of Madagascar any goods whereon any duty shall be charged or payable to the said Queen, with the intent to evade the payment of such duty, or any goods the importation whereof shall be prohibited; and such Consul shall thereupon proceed with all convenient speed to inquire into the same on oath or solemn affirmation, and to hear the witnesses on both sides, with like powers and in like manner in all respects as is provided by Article X of this Order. And it shall be lawful for the Consul, having inquired into and heard the said charge, to determine the same, and if he shall find the party guilty, if the charge against him shall be of importing into the said dominions prohibited goods, then to award him to pay a fine not exceeding treble the value of the said goods at the current price of the day; and if the charge shall

be of smuggling or importing goods with intent to evade the payment of duty as aforesaid, then to award him to pay a fine not exceeding treble the amount of duties leviable thereon, and in case of non-payment of any such fine or fines to award him to be imprisoned for a period not exceeding 3 months, or it shall be lawful for such Consul, without awarding the payment of any fine, to award that such party shall be imprisoned for a period not exceeding 6 months in such place as he shall appoint: Provided always, that no British subject charged only with importing prohibited goods shall be apprehended, unless and until he shall have one week's notice to appear and answer the charge, and shall have refused, failed, or omitted so to appear.

20. And it is further ordered, that in cases of common assault it shall be lawful for the Consul before whom the complaint is made, to promote reconciliation between the parties, and to suffer compensation and amends to be made, and the proceedings thereby to be finally stayed.

21. And it is further ordered that a minute of the proceedings in every case heard and determined before the Consul, in pursuance of this Order, shall be carefully drawn up and be signed by the Consul, and shall, in cases where the assessors are present, be open for the inspection of such assessors and for their signature if they therein shall concur; and every such minute, together with the depositions of the witnesses, shall be preserved in the public office of the said Consul.

22. And it is further ordered, that save and except as regards offences committed by British subjects against the stipulations of any Treaty between Her Majesty and the Queen of Madagascar, or against any rules and regulations for the observance of the stipulations of any such Treaty or Convention, duly affixed and exhibited according to the provisions of Article II of this Order, or against any rules and regulations for the peace, order, and good government of Her Majesty's subjects being within the dominions of the Queen of Madagascar, no act done by a British subject within the dominions of the said Queen shall by Her Majesty's Consul be deemed and taken to be a crime or misdemeanour, or offence rendering the person committing it amenable to punishment, which, if done within any part of Her Majesty's dominions, would not, by a court of justice having criminal jurisdiction in Her Majesty's dominions, have been deemed and taken to be a crime or misdemeanour or offence rendering the person committing it amenable to punishment; and Her Majesty is pleased to appoint by and with the advice of Her Privy Council, Her Majesty's Colony of the Mauritius as the place where crimes and offences committed by British subjects within the dominions of the Queen of Madagascar, which it may be expedient shall be inquired of, tried, determined, and punished within Her Ma-



jesty's dominions shall be so inquired of tried, determined, and punished; and Her Majesty's Consul resident in Madagascar shall have authority to cause any British subject charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to him, to be sent for trial at Her Majesty's said Colony of the Mauritius.

23. And it is further ordered, that it shall be lawful for Her Majesty's Consul to cause any British subject charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to him, to be sent, in any of Her Majesty's ships of war, or in any British vessel, to Her Majesty's Colony of the Mauritius, for trial before the High Court of the said colony; and it shall be lawful for the Commander of any of Her Majesty's ships of war, or of any British vessel, to receive any such person on board, with a warrant from the said Consul addressed to the chief magistrate of police of the said Colony; and thereupon to keep and detain in lawful custody, and to convey in custody to the Mauritius, and on his arrival there to deliver him, with the said warrant, into the custody of the said chief magistrate of police, or other officer within the said colony lawfully acting as such, who, on receipt of the said warrant, and of the party therein named, shall be authorized to commit, and shall commit, such party so sent for trial to the common gaol of the said colony; and it shall be lawful for the keeper of the said common gaol to cause such party to be detained in safe and proper custody, and to be produced upon the order of the said High Court, and the High Court at the sessions to be holden next after such committal shall proceed to hear and determine the charge against such party, and to punish him for the same, if found guilty, in the same manner as if the crime with which he may be charged had been committed within Her Majesty's said Colony of the Mauritius.

24. And it is further ordered, that Her Majesty's Consul, on any occasion of sending a prisoner to the Mauritius for trial, shall observe the provisions made with regard to prisoners sent for trial to a British Colony in an Act passed in the 6th and 7th years of Her Majesty's reign, intituled "An Act to remove Doubts as to the exercise of Power and Jurisdiction by Her Majesty within divers countries and places out of Her Majesty's Dominions, and to render the same more effectual."

25. And it is further ordered, that the High Court of the Mauritius shall have and may exercise, concurrently with Her Majesty's Consul, authority and jurisdiction in regard to all suits of a civil nature between British subjects arising within any part of the dominions of the Queen of Madagascar: Provided always, that the said High Court shall not be bound, unless in a fit case it shall deem it right so to do, by writ of certiorari or otherwise, to debar or prohibit the Consul from



hearing and determining, pursuant to the provisions of the several Articles of this Order, any suit of a civil nature between British subjects, or to stay the proceedings of the Consul in such matter.

26. And it is further ordered, that all fines and penalties imposed under this Order may be levied by distress and seizure, and sale of ships, and of goods and chattels; and no bill of sale, mortgage, or transfer of property made by a party accused after his apprehension, or with a view to securing such party against any crime or offence committed or to be committed by him, or against the consequences thereof, shall avail to defeat any of the provisions of this Order.

27. And it is further ordered, that it shall be lawful for Her Majesty's Consul, from time to time, to establish rules of practice to be observed in proceedings before him, and to make regulations for defraying the expenses of witnesses in such proceedings, and the cost of criminal prosecutions, and also to establish rates and scales of fees to be taken in regard to civil suits heard and determined before the said Consul; and it shall be lawful for the said Consul to enforce by seizure and sale of goods, or, if there be no sufficient goods, by imprisonment, the payment of such established fees, and of such costs or expenses as may be adjudged against the parties, or any of them: Provided always, that a Table specifying the rates of fees to be so taken shall be affixed and kept exhibited in the public office of the said Consul.

28. And it is further ordered, that all fees, penalties, fines, and forfeitures levied under this Order, save and except such penalties as may by Treaty be payable to the Queen of Madagascar, shall be paid to the public account, and shall be applied in diminution of the public expenditure on account of Her Majesty's Consulate in Madagascar: Provided always, that in the event of any of the Malagasy authorities declining to receive fines payable to the Government of Madagascar as aforesaid, the same shall also be paid to the public account, and applied in the manner last mentioned.

29. And it is further ordered, that Her Majesty's Consul within the dominions of the Queen of Madagascar shall, for and within the said dominions, and for vessels and persons coming within those dominions, and in regard to vessels captured on suspicion of being engaged in the Slave Trade within those dominions, have all such jurisdiction as for the time being ordinarily belongs to Courts of Vice-Admiralty in Her Majesty's Possessions abroad. And it is further ordered, that it shall be lawful for Her Majesty's Consul to grant probate of will or letters of administration to the intestate estate of any British subject, or any native of a State or place under British protection, who shall die and leave property within the

dominions of the Queen of Madagascar; and if such probate or letters of administration shall not be applied for within 30 days after the death of the deceased person, it shall be lawful for the Consul to administer to the estate of such person, and for so doing to reserve to himself out of the proceeds of such estate a commission not exceeding  $2\frac{1}{2}$  per cent. on the account thereof.

30. And it is further ordered, that a register shall be kept by Her Majesty's Consul of all British subjects, and of all natives of British protected States in India who may claim British protection, residing within the dominions of the Queen of Madagascar; and that every British subject now residing within such dominions who shall not have been already enrolled in such Consular register, shall, within a reasonable time after the promulgation of this Order, such time to be specified in a notice affixed and publicly exhibited in the Consular Office, apply to the Consul to be enrolled in such register; and every British subject who may arrive within the said dominions (except British subjects borne on the muster-roll of any British ship arriving in any port of Madagascar), shall, within a reasonable time after his arrival, such time to be specified as aforesaid, also apply to the Consul to be enrolled in such register; and any British subject who shall refuse or neglect to comply to be so enrolled as hereinbefore mentioned, and who shall not excuse such refusal or neglect to the satisfaction of the Consul, shall not be entitled to be recognized or protected as a British subject in respect to any suit, dispute, or difficulty in which he may have been, or may be, engaged or involved within the dominions of the Queen of Madagascar, at any time when he shall not have been or shall not be so enrolled.

31. And it is further ordered, that Her Majesty's Consul shall and may exercise all or any of the powers which, by any Act or Acts of the Imperial Parliament for the regulation of merchant seamen, or for the regulation of the mercantile marine, may now or at any time hereafter be exercised by any justice or justices of the peace within Her Majesty's dominions.

32. And it is further ordered, that nothing in this Order contained shall be deemed or construed to prevent Her Majesty's Consul within the dominions of the Queen of Madagascar from doing or performing any act whatsoever which British Consuls within any other State in amity with Her Majesty are by law, usage, or sufferance entitled or enabled to do or perform.

33. And it is further ordered, that every action or suit brought against Her Majesty's Consul by reason of anything done under the authority of this Order, shall be commenced within 6 calendar months next after the doing thereof, and not otherwise; and the defendant in every such action or suit shall

be entitled to the benefit of the provisions made with respect to defendants in actions or suits in the said hereinbefore recited Act of the 6th and 7th years of Her Majesty's reign.

34. And it is further ordered, that the word "Consul" in this Order shall include every person duly authorized to act in the aforesaid capacity, within the dominions of the Queen of Madagascar; and that, in the construction of this Order, words importing the singular number shall, if necessary, be understood to include several persons, matters, or things; and words importing the masculine gender only, shall, if necessary, be understood to import the feminine gender, unless there be something in the subject or context repugnant to such construction.

35. And it is further ordered, that the provisions of this Order, relating to British subjects, shall extend and apply to all subjects of Her Majesty, whether by birth or by naturalization, and also to all persons enjoying Her Majesty's protection in the dominions of the Queen of Madagascar. And it is further ordered, that this Order shall take effect on and after the

36. And the Right Honourable Sir Stafford Henry Northcote, Baronet, and the Right Honourable Lord Stanley, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein, as to them may respectively appertain.

EDMUND HARRISON.

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## MUSCAT.

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BRITISH ORDER IN COUNCIL, *for the Regulation of British Consular Jurisdiction within the Dominions of the Sultan of Muscat.* November 4, 1867.

*At the Court at Windsor, the 4th day of November, 1867.*

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the session of Parliament holden in the 6th and 7th years of Her Majesty's reign,\* intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual," it is, amongst other things, enacted that it is and shall be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty now hath, or may at any time hereafter have, within any country or place out of Her Majesty's dominions in the same

\* See Vol. 6. Page 500.

and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory ;

And whereas Her Majesty hath power and jurisdiction in the dominions of His Majesty the Sultan of Muscat and its dependencies ;

And whereas it is expedient to make provision for the due and effectual exercise of such power and jurisdiction ;

1. Now, therefore, in pursuance and by virtue of the said recited Act of Parliament, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that Her Majesty's Consuls appointed to reside in the dominions of the Sultan of Muscat shall have full power and authority to carry into effect, and to enforce by the means and in the manner hereinafter mentioned and provided, the observance of the stipulations of any Treaty or Convention, or of any regulations appended to any Treaty or Convention now existing, or which may hereafter be made between Her Majesty, her heirs and successors ; and the Sultan of Muscat, his heirs and successors : and to make and to enforce, by fine or imprisonment, or both, rules and regulations for the observance of the stipulations of any such Treaty or Convention, and for the peace, order, and good government of Her Majesty's subjects being within the dominions of the Sultan of Muscat, his heirs and successors.

2. And it is further ordered, that a copy of all such rules and regulations made by the said Consul shall forthwith be affixed, and kept affixed and exhibited, in some conspicuous place in the public office of the said Consul, and that printed copies of the said rules and regulations shall, as soon as possible, be provided by the said Consul, and sold at a price not exceeding one dollar for each copy ; and for the purpose of convicting any person offending against the said rules and regulations, and for all other purposes of law whatsoever, a printed copy of the said rules and regulations, certified under the hand of the said Consul to be a true copy thereof, shall be taken as conclusive evidence of such rules and regulations, and all things therein respectively contained ; and no penalty shall be incurred, or shall be enforced for the breach of any such rules and regulations to be hereafter made, until the same shall have been so affixed and exhibited for one calendar month in the public office of the Consul ; provided always, that any such rule or regulation made by Her Majesty's Consul, and to be enforced by penalty, shall, before the first day on which the same shall be so affixed or exhibited, be transmitted to Her Majesty's Principal Secretary of State for Foreign Affairs for allowance or disallowance ; and if any such rule and regulation shall be disallowed by Her Majesty's Principal Secretary of State for Foreign Affairs, the same shall cease to have effect from the



receipt by the Consul of such disallowance ; nevertheless, the Consul shall not be liable to be proceeded against in any of Her Majesty's Courts in regard to any act done by him under such rule or regulation previously to the receipt of its disallowance by such Consul.

3. And it is further ordered, that it shall be lawful for Her Majesty's Consul as aforesaid, upon information or upon the complaint of any person that a British subject has violated any of the stipulations of any Treaty or Convention, or of any regulations appended to any Treaty or Convention, between Her Majesty and the Sultan of Muscat, or has disregarded or infringed any of the rules or regulations for the observance of the stipulations of any such Treaty or Convention, affixed and exhibited according to the provisions of the next preceding Article of this Order, to summon before him the accused person, and to receive evidence and to examine witnesses on oath as to the guilt or innocence of such person in regard to the offence laid to his charge, and to award such penalty of fine or imprisonment against any person convicted of an offence against any such Treaty or Convention, or appended regulations, or against the said rules and regulations, as may be specified therein respectively ; and any charge against a British subject for a breach of any such Treaty or Convention, or appended regulations, or for a breach of such rules and regulations for the observance of any such Treaty, shall be heard and determined by the Consul without assessors ; provided always, that in no case shall the penalty to be incurred by a breach of such rules and regulations exceed 500 dollars or 3 calendar months' imprisonment.

4. And it is further ordered, that any charge against a British subject for a breach of rules and regulations other than those relating to the observance of Treaties shall, in like manner, be heard and determined by Her Majesty's Consul ; and in all cases in which the penalty shall not exceed 200 dollars, or one calendar month's imprisonment, the Consul shall hear and determine the charge summarily, without the aid of assessors ; but where a penalty attached to a breach of the rules and regulations other than those relating to the observance of Treaties shall amount to more than 200 dollars, or to imprisonment for more than one calendar month, the Consul, before he shall proceed to hear the charge, shall summon two disinterested British subjects of good repute to sit with him as assessors, which assessors, however, shall have no authority to decide on the innocence or guilt of the person charged, or on the amount of fine or imprisonment to be awarded to him on conviction, but it shall rest with the Consul to decide on the guilt or innocence of the person charged, and on the amount of fine or imprisonment to be awarded to him : provided always, that in

no case shall the penalty to be attached to a breach of rules and regulations other than those for the observance of Treaties exceed 500 dollars, or 3 calendar months' imprisonment; and provided further, that, in the event of the said assessors, or either of them, dissenting from the conviction of the party charged, or from the penalty of fine or imprisonment awarded to him by the Consul, the Consul shall take a note of such dissent, with the grounds thereof, and shall require good and sufficient security for the appearance of the person convicted at a future time, in order to undergo his sentence or receive his discharge; and in default of such security being given, it shall be lawful for the Consul to cause the person to be detained in custody until such security is given.

5. And it is further ordered, that if any person who shall have committed or been charged with any breach of or offence against any such Treaty or Convention, or any such rules and regulations as aforesaid, shall escape or remove from the Consular District within which the fact was committed, and shall be found within another Consular District, it shall be lawful for the Consul within which district such person shall be so found, to proceed against him in the same manner as if the fact had been committed within such district.

6. And it is further ordered, that all suits, disputes, differences, and causes of litigation of a civil nature arising between British subjects within the dominions of the Sultan of Muscat, shall be heard and determined by Her Majesty's Consul, who shall be the sole judge and arbiter thereof respectively; subject nevertheless to an appeal against the decision of the Consul therein to the High Court of Bombay, in cases where the sum or matter at issue is of the amount or value of 200 dollars or upwards: Provided always, that the party intending so to appeal against the decision of the said Consul shall, within 15 days after the determination of the case by the Consul, by himself or his agent, give to the Consul notice in writing of his appeal to the said High Court of Bombay; whereupon the Consul shall, as speedily as possible, transmit to the said High Court all the documents which were produced before him in the case, and none other, together with a statement of the evidence taken before him in the case, and of the grounds on which his decision was formed, and shall forthwith notify to the several parties the transmission of the said proceedings to the said High Court: Provided also, that it shall be lawful for the Consul to require from any person so appealing to the said High Court reasonable security, to consist in part of one or two sufficient sureties, to be approved by the Consul, that such person so applying will duly prosecute his appeal, and will abide by the decision to be given therein by the said High Court, and that in case such appeal shall fail, he will answer and satisfy all costs.

loss, and damages sustained by the other party by reason of such appeal.

7. And it is further ordered, that it shall be lawful for Her Majesty's Consul to summon not less than two, and not more than 4, disinterested British subjects, of good repute, to sit with him as assessors at the hearing of any suit, dispute, difference, or cause of litigation whatever, of a civil nature, brought before him for decision, and in case the sum sought to be recovered shall exceed 500 dollars such suit shall not be heard by the Consul without assessors, if within a reasonable time such assessors can be procured; but the assessors aforesaid shall have no authority to decide on the merits of such suit, but in the event of such assessors, or any of them, dissenting from the decision of the Consul, the Consul shall enter the fact of such dissent and the grounds thereof in the minutes of the proceedings, and in case of appeal shall transmit the same to the High Court of Bombay, together with the documents relating to the suit.

8. And it is further ordered, that it shall be lawful for Her Majesty's Consul to enforce his decision in favour of or against a British subject in a civil suit, dispute, difference, or cause of litigation, by distress and sale, or imprisonment, in like manner as a decision of the High Court of Bombay in a civil suit is enforced within the same.

9. And it is further ordered, that in case of an appeal to the High Court of Bombay from the decision of Her Majesty's Consul, it shall be lawful for the said High Court, upon such terms as to costs and otherwise as it shall think proper, to admit any further legal evidence besides that adduced before the Consul, on its being established to the satisfaction of the said High Court, by oath or affidavit, that the party desiring to produce such further evidence was ignorant of the existence of such evidence, or was taken by surprise at the hearing before the Consul, or was unable to produce it before the Consul after due and reasonable diligence and exertion on his part, or where, under the circumstances of the case, it shall appear to the said High Court that further evidence ought to be received.

10. And it is further ordered, that Her Majesty's Consul shall have power, in any civil suit, dispute, difference, or cause of litigation, to examine on oath, or in such form and with such ceremonies as the witness may declare to be binding on his conscience, any witness who may appear before him, and shall have power, on the application of any party in such suit, to issue a compulsory order for the attendance of any person being a British subject who may be competent to give evidence in such suit; and any British subject who shall have been duly served with any such compulsory order, and with a reasonable notice of the day of hearing of such suit, and upon his expenses of appearing as a witness having been paid or tendered to him



by the party at whose application he shall have been ordered to attend shall, on his wilful default to appear as a witness at the hearing of such suit, be punished with a fine not exceeding 100 dollars, or with imprisonment for a period not exceeding 30 days, at the discretion of the said Consul.

11. Every witness, being a British subject, so examined on oath, whether before the Consul or before a Kadi or other officer of the Muscat Government, duly authorized to act judicially, who shall in any such examination give wilfully false testimony, may be convicted of and punished for the crime of wilful and corrupt perjury.

12. And it is further ordered, that it shall be lawful for Her Majesty's Consul to promote the settlement of any civil suit, dispute, difference, or cause of litigation, by amicable agreement between the parties; and with the consent of the several parties, to refer the decision of a suit or contention to one or more arbitrators, and to take security from the parties that they will be bound by the result of such arbitration; and the award of such arbitrator or arbitrators shall be, to all intents and purposes, deemed and taken to be a judgment or sentence of Her Majesty's Consul in such civil suit, dispute, difference, or cause of litigation, and shall be entered and recorded as such, and shall have the like effect and operation and shall be enforced accordingly, and shall be final and conclusive, to all intents and purposes, and shall not be open to appeal, unless the same shall, within a reasonable time, have been ordered by the Consul to be set aside, on the ground that it is not final, or is defective, or that the arbitrator or arbitrators have exceeded their authority, or have been guilty of misconduct in the matter.

13. And it is further ordered, that it shall be lawful for Her Majesty's Consul to cause to be apprehended and brought before him, any British subject who may be charged with having committed any crime or offence within the dominions of the Sultan of Muscat; and such Consul shall thereupon proceed with all convenient speed to inquire of the same, and for such purpose shall have power to examine on oath, or in such form and with such ceremony as the witness shall declare to be binding on his conscience, any witness who may appear before him to prove the charge; and also shall have power to compel any person, being a British subject, who may be competent to give evidence as to the guilt or innocence of the party so charged, to appear and give evidence, and to punish the wilful default of any such person to appear and give evidence, after reasonable notice of the day of the hearing of such charge, by fine or imprisonment, in like manner as is provided in Article X of this Order, and shall examine every such witness in the presence and hearing of the party accused, and shall afford the party accused all reasonable facility for cross-examining such



witness, and shall cause the deposition of every such witness to be reduced to writing, and the same to be read over, and if necessary, explained to the party accused, together with any other evidence that may have been urged against him during the course of the inquiry, and shall require such accused party to defend himself against the charge brought against him, and, if necessary, advise him of the legal effect of any voluntary confession, and shall take the evidence of any witness whom the accused party may tender to be examined in his defence; and every witness being a British subject so examined as aforesaid who shall upon any such occasion give wilfully false testimony, may be convicted of and punished for the crime of wilful and corrupt perjury: and when the case has been fully inquired into, and the innocence or guilt of the person accused has been established to the satisfaction of the Consul, the Consul, as the case may be, shall either discharge the party accused from custody, if satisfied of his innocence, or proceed to pass sentence on him, if satisfied of his guilt; and it shall be lawful for the Consul, having inquired of, tried, and determined, in the manner aforesaid any charge which may be brought before him, to award to the party convicted any amount of punishment not exceeding imprisonment for one calendar month, or a fine of 200 dollars.

14. And it is further ordered that if the crime or offence whereof any person being a British subject may be accused before Her Majesty's Consul as aforesaid, shall appear to such Consul to be of such a nature as, if proved, would not be adequately punished by the infliction of such punishment as aforesaid, it shall be lawful for such Consul to summon not less than two, or not more than 4, disinterested British subjects of good repute to sit with him as assessors for inquiring of, trying, and determining the charges against such person; and the Consul, when he shall try any such charge with the assistance of assessors as aforesaid, shall, if he is himself convinced of the guilt of the party accused, have power to award any amount of punishment not exceeding imprisonment for 12 calendar months, or a fine of 1,000 dollars; and the assessors aforesaid shall have no authority to decide on the innocence or guilt of the party accused, or on the amount of punishment to be awarded to him on conviction, but in the event of the said assessors, or any of them, dissenting from the conviction of or from the amount of punishment awarded to the accused party, the assessors or assessor so dissenting shall be authorized to record in the minutes of the proceedings the grounds on which they or he may so dissent, and the Consul shall forthwith report to the High Court at Bombay the fact of such dissent and of its having been so recorded in the minutes of the proceedings, and shall, as soon as possible, lay before the said court copies of the whole

of the depositions and proceedings with the dissent of the assessor or assessors recorded therein, and it shall be lawful thereupon for the court, by warrant under seal addressed to the Consul, to confirm, or vary, or remit altogether, as to the court may seem fit, the sentence and punishment awarded to the party accused, and such Consul shall give immediate effect to the injunction of any such warrant: Provided always, that in any case in which the assessor or assessors shall dissent from the conviction of or from the amount of punishment awarded to the accused party, it shall be lawful for Her Majesty's Consul to take good and sufficient bail from the accused party to appear and undergo the punishment awarded to him, provided the same or any portion thereof be confirmed by the court, which punishment so confirmed shall commence and take effect from the day on which the decision of the court shall be notified to the party accused.

15. And in order more effectually to repress crimes and offences on the part of British subjects within the dominions of the Sultan of Muscat, it is further ordered, that it shall and may be lawful for Her Majesty's Consul to cause any British subject who may have been twice convicted before him of any crime or offence, and punished for the same, and who, after execution of the sentence of the Consul, on any second conviction shall not be able to find good and sufficient security to the satisfaction of the Consul, for his future good behaviour, or who having been deported under any sentence shall during such sentence return, to be sent out of the dominions of the Sultan of Muscat; and to this end the Consul shall have power and authority as soon as may be practicable after execution of the sentence on such second conviction, to send any such twice-convicted party, or any person so returning as aforesaid, to Bombay, and in the meantime to detain such party in custody until a suitable opportunity for sending him out of the dominions of the Sultan of Muscat shall present itself; and any person so to be sent out of the said dominions as aforesaid, shall be embarked in custody on board of one of Her Majesty's vessels of war, or, if there shall be no such vessel available for such purpose, then on board any British vessel bound to Bombay; and it shall be lawful for the commander of any of Her Majesty's ships of war, or of any British vessel bound to Bombay, to receive any such person as aforesaid under a warrant from the Consul to him addressed, and thereupon to convey such person in custody to Bombay as aforesaid, in the same manner as if he were a distressed British subject, unless he shall be willing and able himself to defray the expenses of his passage.

16. And it is further ordered, that in any case in which any British subject shall be accused before Her Majesty's Consul of the crime of arson, or housebreaking, or cutting and maiming,

or stabbing or wounding, or of any assault endangering life, or of wilfully causing any bodily injury dangerous to life, or of wilful or corrupt perjury, or of engaging in or being accessory to the purchase or sale of slaves, or of having slaves illegally in his possession, the proceedings before the Consul shall be carried on with the aid of assessors convened in the manner aforesaid; and it shall be lawful for the Consul, if to him it shall seem fit, to cause any person convicted before him of any of the crimes aforesaid, over and above any fine or imprisonment which may be awarded to such person, to be sent out of the dominions of the Sultan of Muscat for such time as to him shall seem meet, in the manner pointed out in the next preceding Article of this Order, notwithstanding the crime laid to the charge of such person may be the first of which he has been convicted before the Consul.

17. And it is further ordered, that it shall be lawful for Her Majesty's Consul within the dominions of the Sultan of Muscat, upon information laid before him by one or more credible witnesses, that there is reasonable ground to apprehend that any British subject is about to commit a breach of the public peace, to cause such British subject to be brought before him, and to require such British subject to give sufficient security to keep the peace; and in the event of any British subject being convicted of and punished for a breach of the peace, to cause such British subject after he shall have undergone the punishment which may have been awarded to him by the Consul, to find security for his good behaviour; and in the event of any British subject who may be required as aforesaid to give sufficient security to keep the peace, or to find security for his good behaviour, being unable or wilfully omitting to do so, then and in any such case it shall be lawful for Her Majesty's Consul to send such British subject out of the dominions of the Sultan of Muscat, in the manner pointed out in Article 15 of this Order.

18. And it is further ordered, that in all cases in which a British subject shall have been sent out of the dominions of the Sultan of Muscat, as provided in the three next preceding Articles of this Order, the Consul sending him out shall forthwith report such act of deportation, with the grounds of his decision thereon, to the High Court of Bombay.

19. And it is further ordered, that it shall be lawful for Her Majesty's Consul to cause to be apprehended and brought before him any British subject who may be charged with smuggling or importing into the dominions of the said Sultan any goods whereon any duty shall be charged or payable to the said Sultan, with the intent to evade the payment of such duty, or any goods the importation whereof shall be prohibited; and such Consul shall thereupon proceed with all convenient speed to inquire into the same on oath or solemn affirmation, and to



hear the witnesses on both sides, with like powers and in like manner in all respects as is provided by Article X of this Order. And it shall be lawful for the Consul, having inquired into and heard the said charge, to determine the same, and if he shall find the party guilty, if the charge against him shall be of importing into the said dominions prohibited goods, then to award him to pay a fine not exceeding treble the value of the said goods at the current price of the day; and if the charge shall be of smuggling or importing goods with intent to evade the payment of duty as aforesaid, then to award him to pay a fine not exceeding treble the amount of the duties leviable thereon, and in case of non-payment of any such fine or fines to award him to be imprisoned for a period not exceeding 3 months, or it shall be lawful for such Consul, without awarding the payment of any fine, to award that such party shall be imprisoned for a period not exceeding 6 months in such place as he shall appoint: Provided always, that no British subject charged only with importing prohibited goods shall be apprehended, unless and until he shall have had one week's notice to appear and answer the charge, and shall have refused, failed or omitted so to appear.

20. And it is further ordered, that in cases of common assault, it shall be lawful for the Consul before whom the complaint is made, to promote reconciliation between the parties, and to suffer compensation and amends to be made, and the proceedings thereby to be finally stayed.

21. And it is further ordered, that a minute of the proceedings in every case heard and determined before the Consul, in pursuance of this Order, shall be carefully drawn up and be signed by the Consul, and shall, in cases where the assessors are present, be open for the inspection of such assessors and for their signature if they therein shall concur; and every such minute together with the deposition of the witnesses, shall be preserved in the public office of the said Consul.

22. And it is further ordered, that save and except as regards offences committed by British subjects against the stipulations of any Treaty between Her Majesty and the Sultan of Muscat, or against any rules or regulations for the observance of the stipulations of any such Treaty or Convention, duly affixed and exhibited according to the provisions of Article II of this Order, or against any rules and regulations for the peace, order, and good government of Her Majesty's subjects being within the dominions of the Sultan of Muscat, no act done by a British subject within the dominions of the said Sultan, shall by Her Majesty's Consul be deemed and taken to be a crime or misdemeanour, or offence rendering the person committing it amenable to punishment, which, if done within any part of Her Majesty's dominions, would not by a Court of Justice having criminal jurisdiction in Her Majesty's dominions, have



been deemed and taken to be a crime or misdemeanour or offence rendering the person committing it amenable to punishment; and Her Majesty is pleased to appoint by and with the advice of Her Privy Council, Her Majesty's territory of Bombay, as the place where crimes and offences committed by British subjects within the dominions of the Sultan of Muscat, which it may be expedient shall be inquired of, tried, determined, and punished within Her Majesty's dominions, shall be so inquired of, tried, determined, and punished; and Her Majesty's Consul resident in Muscat shall have authority to cause any British subject charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to him, to be sent for trial at Her Majesty's said territory of Bombay.

23. And it is further ordered, that it shall be lawful for Her Majesty's Consul to cause any British subject charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to him, to be sent, in any of Her Majesty's ships of war, or in any British vessel, to Her Majesty's territory of Bombay, for trial before the High Court of the said territory; and it shall be lawful for the commander of any of Her Majesty's ships of war, or of any British vessel, to receive any such person on board, with a warrant from the said Consul addressed to the Chief Magistrate of Police of the said territory; and thereupon to keep and detain in lawful custody, and to convey him in custody to Bombay, and on his arrival there to deliver him, with the said warrant, into the custody of the said Chief Magistrate of Police, or other officer within the said territory lawfully acting as such, who, on receipt of the said warrant, and of the party therein named, shall be authorized to commit, and shall commit, such party so sent for trial to the common gaol of the said territory; and it shall be lawful for the keeper of the said common gaol to cause such party to be detained in safe and proper custody, and to be produced upon the order of the said High Court; and the High Court at the Sessions to be holden next after such committal shall proceed to hear and determine the charge against such party, and to punish him for the same, if found guilty, in the same manner as if the crime with which he may be charged had been committed within Her Majesty's said territory of Bombay.

24. And it is further ordered, that Her Majesty's Consul, on any occasion of sending a prisoner to Bombay for trial, shall observe the provisions made with regard to prisoners sent for trial to a British Colony in an Act passed in the 6th and 7th years of Her Majesty's reign, intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual."

25. And it is further ordered, that the High Court of Bom-

bay shall have and may exercise, concurrently with Her Majesty's Consul, authority and jurisdiction in regard to all suits of a civil nature between British subjects arising within any part of the dominions of the Sultan of Muscat: Provided always, that the said High Court shall not be bound, unless in a fit case it shall deem it right so to do, by writ of certiorari, or otherwise, to debar or prohibit the Consul from hearing and determining, pursuant to the provisions of the several Articles of this Order, any suit of a civil nature between British subjects, or to stay the proceedings of the Consul in any such matter.

26. And it is further ordered, that all fines and penalties imposed under this Order may be levied by distress and seizure, and sale of ships, and of goods and chattels; and no bill of sale, mortgage, or transfer of property made by a party accused after his apprehension, or with a view to securing such party against any crime or offence committed or to be committed by him, or against the consequences thereof, shall avail to defeat any of the provisions of this Order.

27. And it is further ordered, that it shall be lawful for Her Majesty's Consul, from time to time, to establish rules of practice to be observed in proceedings before him, and to make regulations for defraying the expenses of witnesses in such proceedings, and the cost of criminal prosecutions, and also to establish rates and scales of fees to be taken in regard to civil suits heard and determined before the said Consul; and it shall be lawful for the said Consul to enforce by seizure and sale of goods, or, if there be no sufficient goods, by imprisonment, the payment of such established fees, and of such costs or expenses as may be adjudged against the parties, or any of them: Provided always, that a table specifying the rates of fees to be so taken shall be affixed and kept exhibited in the public office of the said Consul.

28. And it is further ordered, that all fees, penalties, fines, and forfeitures levied under this Order, save and except such penalties as may by Treaty be payable to the Sultan of Muscat, shall be paid to the public account, and shall be applied in diminution of the public expenditure on account of Her Majesty's Consulate in Muscat: Provided always, that in the event of any of the Muscat authorities declining to receive fines payable to the Government of Muscat as aforesaid, the same shall also be paid to the public account, and applied in the manner last mentioned.

29. And it is further ordered, that Her Majesty's Consul within the dominions of the Sultan of Muscat shall, for and within the said dominions and for vessels and persons coming within those dominions, and in regard to vessels captured on suspicion of being engaged in the Slave Trade within those dominions, have all such jurisdiction as for the time being ordinarily belongs to Courts of Vice-Admiralty in Her Majesty's

Possessions abroad. And it is further ordered, that it shall be lawful for Her Majesty's Consul to grant probate of will on letters of administration to the intestate estate of any British subject, or any native of a State or place under British protection, who shall die and leave property within the dominions of the Sultan of Muscat; and if such probate or letters of administration shall not be applied for within 30 days after the death of the deceased person, it shall be lawful for the Consul to administer to the estate of such person and for so doing to reserve to himself out of the proceeds of such an estate a commission not exceeding  $2\frac{1}{2}$  per cent. on the account thereof.

30. And it is further ordered, that a register shall be kept by Her Majesty's Consul of all British subjects, and of all natives of British protected States in India who may claim British protection, residing within the dominions of the Sultan of Muscat, and that every British subject now residing within such dominions who shall not have been already enrolled in such Consular register shall, within a reasonable time after the promulgation of this Order—such time to be specified in a notice affixed and publicly exhibited in the Consular Office—apply to the Consul to be enrolled in such register; and every British subject who may arrive within the said dominions (except British subjects borne on the muster-roll of any British ship arriving in any port of Muscat), shall, within a reasonable time after his arrival—such time to be specified as aforesaid—also apply to the Consul to be enrolled in such register; and any British subject who shall refuse or neglect to comply to be so enrolled as hereinbefore mentioned, and who shall not excuse such refusal or neglect to the satisfaction of the Consul, shall not be entitled to be recognized or protected as a British subject in respect to any suit, dispute, or difficulty in which he may have been, or may be engaged or involved within the dominions of the Sultan of Muscat, at any time when he shall not have been, or shall not be, so enrolled.

31. And it is further ordered, that Her Majesty's Consul shall and may exercise all or any of the powers which, by any Act or Acts of the Imperial Parliament for the regulation of merchant seamen, or for the regulation of the mercantile marine, may now, or at any time hereafter, be exercised by any Justice or Justices of the Peace within Her Majesty's dominions.

32. And it is further ordered, that nothing in this Order contained shall be deemed or construed to prevent Her Majesty's Consul, within the dominions of the Sultan of Muscat, from doing or performing any act whatsoever which British Consuls within any other State in amity with Her Majesty are by law, usage, or sufferance entitled or enabled to do or perform.

33. And it is further ordered, that every action or suit brought against Her Majesty's Consul, by reason of anything done under the authority of this Order, shall be commenced



within 6 calendar months next after the doing thereof, and not otherwise; and the defendant in every such action or suit shall be entitled to the benefit of the provisions, made with respect to defendants in actions or suits in the said hereinbefore-recited Act of the 6th and 7th years of Her Majesty's reign.

34. And it is further ordered, that the word "Consul" in this Order, shall include every person duly authorized to act in the aforesaid capacity, within the dominions of the Sultan of Muscat; and that, in the construction of this Order, words importing the singular number, shall, if necessary, be understood to include several persons, matters, or things; and words importing the masculine gender only shall, if necessary, be understood to import the feminine gender, unless there be something in the subject or context repugnant to such construction.

35. And it is further ordered, that the provisions of this Order, relating to British subjects, shall extend and apply to all subjects of Her Majesty, whether by birth or by naturalization, and also to all persons enjoying Her Majesty's protection in the dominions of the Sultan of Muscat. And it is further ordered, that this Order shall take effect on and after the first day of December next.

36. And the Right Honourable Lord Stanley, and the Right Honourable Sir Stafford Northcote, Bart., two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty are to give the necessary directions herein as to them may respectively appertain.

ARTHUR HELPS.

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## NETHERLANDS.

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CONVENTION *between Great Britain and the Netherlands, for an Interchange of Territory on the Gold Coast of Africa. Signed at London, March 5, 1867.\**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, being of opinion that an interchange of territory on the West Coast of Africa would conduce to their mutual advantage, and would promote the interests of the inhabitants, have resolved to

HARE Majesteit de Koningin van het Vereenigd Koninkrijk van Groot Britannie en Ierland, en Zijne Majesteit de Koning der Nederlanden, van oordeel zijnde dat eene ruiling van grondgebied aan de West Kust van Afrika zal leiden tot wederzijdsch voordeel en de belangen zal bevorderen der inwoners, hebben besloten tot

\* Ratifications exchanged at London, July 5, 1867.



conclude a Convention for that purpose, and have therefore named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry Howard Molyneux, Earl of Carnarvon, Lord Porchester, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Her Principal Secretary of State for the Colonies; and the Right Honourable Edward Henry Stanley (commonly called Lord Stanley), a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, Her Principal Secretary of State for Foreign Affairs;

And His Majesty the King of the Netherlands, Monsieur Adolph Baron Bentinck, Commander of the Order of the Netherland Lion, Knight Grand Cross of the Order of the Oaken Crown, Chamberlain to His Majesty, His Minister of State, Envoy Extraordinary and Minister Plenipotentiary at the Court of St. James's; and Monsieur Cornelis Johannes Marius Nagtglas, Knight of the Order of the Netherland Lion, ex-Governor at St. George d'Elmina;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:

ART. I. Her Britannic Ma-

dat einde eene Conventie te sluiten, en hebben daarvoor benoemd tot Hunne Gevolmagtigden:

Hare Majesteit de Koningin van het Vereenigd Koninkrijk van Groot Britannie en Ierland, den Zeer Achtbaren Henry Howard Molijneux, Graaf van Carnarvon, Lord Porchester, een Pair van het Vereenigd Koninkrijk, een lid van Harer Britsche Majesteits Meest Achtbaren Geheimen Raad, en Haren Eersten Secretaris van Staat voor de Koloniën; en den Zeer Achtbaren Edward Henry Stanley (gewoonlijk genaamd Lord Stanley), een lid van Harer Britsche Majesteits Meest Achtbaren Geheimen Raad, een lid van het Parlement, en Haren Eersten Secretaris van Staat voor Buitenlandsche Zaken;

En Zijne Majesteit de Koning der Nederlanden, den Heer Adolph Baron Bentinck, Kommandeur der Orde van den Nederlandschen Leeuw, Ridder Grootkruis der Orde van de Eiken Kroon, Zijner Majesteits Kamerheer, Minister van Staat en Buitengewoon Gezant en Gevolmagtigd Minister bij het Hof van St. James; en den Heer Cornelis Johannes Marius Nagtglas, Ridder der Orde van den Nederlandschen Leeuw, Oud Gouverneur te St. George d'Elmina:

Die, ná elkander hunne in goeden en behoorlijken vorm bevonden volmagten te hebben medegedeeld, omtrent de navolgende Artikelen zijn overeengekomen:

ART. I. Hare Britsche Ma-

jesty cedes to His Majesty the King of the Netherlands all British forts, possessions, and rights of sovereignty or jurisdiction which she possesses on the Gold Coast to the westward of the mouth of the Sweet River, where their respective territories are conterminous; and His Majesty the King of the Netherlands cedes to Her Britannic Majesty all Netherland forts, possessions, and rights of sovereignty or jurisdiction which he possesses on the Gold Coast to the eastward of the mouth of the Sweet River, where their respective territories are conterminous. The boundary between the possessions of Her Britannic Majesty and those of His Majesty the King of the Netherlands will be a line drawn true north from the centre of the mouth of the Sweet River as far as the boundary of the present Ashantee kingdom, but with such deviations within 3 English miles of the coast, as shall be necessary to retain within British territory any villages which have been in habitual dependence on the British Government at Cape Coast, and within Netherland territory any villages which have been in habitual dependence on the Netherland Government at St. George d'Elmina.

II. The two High Contracting Parties agree that the

jestiteit doet afstand aan Zijne Majesteit den Koning der Nederlanden van al de Britsche forten, bezittingen en regten van souvereiniteit of jurisdictie welke zij bezit op de Goud Kust ten Westen van den mond der Zoete Rivier, alwaar hun respectief grondgebied aangrenzende is; en Zijne Majesteit de Koning der Nederlanden doet afstand aan Hare Britsche Majesteit van alle Nederlandsche forten, bezittingen en regten van souvereiniteit of jurisdictie welke hij bezit op de Goud Kust ten Oosten van den mond der Zoete Rivier, alwaar hun respectief grondgebied aangrenzende is.

De grensscheiding tusschen de bezittingen van Hare Britsche Majesteit en die van Zijne Majesteit den Koning der Nederlanden zal zijn eene lijn getrokken naar het ware Noorden uit het midden van den mond der Zoete Rivier tot aan de grenzen van het tegenwoordig Ashantijsche Koninkrijk, maar met zoodanige afwijkingen tot op drie Engelsche mijlen van de kust als noodig zullen zijn om in het Britsche grondgebied te behouden de dorpen, welke tot dusverre afhankelijk zijn geweest van de Britsche Regering te Cape Coast, en binnen Nederlandsch grondgebied de dorpen, welke tot dusverre afhankelijk zijn geweest van de Nederlandsche Regering te St. George d'Elmina.

II. De beide Hooge Contracteerende Partijen komen

following tariff of duties of Customs shall be enforced in their respective possessions upon the Gold Coast:

overeen dat het navolgende tarief van invoer regten van kracht zal zijn in hunne respectieve bezittingen op de Goud Kust:

	In the British Possessions.		In the Netherland Possessions.	
	Per old wine gallon ..	Sixpence.	Per litre ..	Eight cents.
Ale, beer, wine, and all spirits or spirituous liquors .. ..	..	..	..	..
Cigars, snuff, or tobacco in any shape .. ..	Per pound..	One penny.	Per kilogramme	Ten cents.
Gunpowder .. ..	Do. ..	Do.	Do.	Do.
Fire-arms of every description .. ..	Each ..	One shilling.	Each ..	Sixty cents.
On all other goods of every kind .. ..	..	..	..	..
An <i>ad valorem</i> duty of three per cent. on the invoice price.				

	In der Britsche Bezittingen.		In de Nederlandsche Bezittingen.	
	Per oude wijn gallon ..	Zes pence.	Per liter ..	Acht cents.
Ale, bier, wijn, en alle spiritus houdende of geestrijke dranken.. ..	..	..	..	..
Cigaren, snuif, of tabak in allerlei vorm .. ..	Per pond ..	Een pennij.	Per kilogramme	Tien cents.
Buskruid .. ..	Per pond ..	Een pennij.	Per kilogramme	Tien cents.
Vuur Wapenen van allerlei soort .. ..	Per stuk ..	Een shilling.	Per stuk ..	Zestig cents.
Alle andere goederen van welken aard ook ..	..	..	..	..
Een <i>ad valorem</i> regt van drie per cent. op den factuur prijs.				

III. In order to prevent frauds in the importation of goods, the High Contracting Parties engage to empower the officers of their respective Customs on the Gold Coast to require the masters of vessels to make declaration of the nature, quantity, and value of any goods which they may be allowed to land.

III. Ter voorkoming van sluikhandel bij den invoer van goederen verbinden zich de Hooge Contracteerende Partijen om hunne respectieve tolbeambten op de Goud Kust te magtigen om van de scheepsgezagvoerders eene verklaring te vorderen van de soort, hoeveelheid, en waarde der goederen welke het hun is toegestaan aan land te brengen.

If the officers of Customs shall be of opinion that the value so to be declared is insufficient, they shall be at liberty to take the goods on public account, on paying to the importer the amount of his valuation, with the addition of 10 per cent. thereon, and returning any duty which may have been already paid.

IV. The Tariff of Customs duties specified in Article II shall be put into operation from and after a day to be agreed upon between the two Governments,\* and shall remain in force for a period of 10 years; and further, until the expiration of 12 months after either of the two Contracting Parties shall have given notice to the other of its desire for a revision or termination thereof.

V. The Tariff of Customs duties may be enforced or relaxed by the local authorities, at their own discretion, or according to the orders of their respective Governments, in respect of articles imported for the use of those authorities, or for the personal use and consumption of officers in the actual service of the Government.

VI. The mutual transfer of forts, possessions, and rights of sovereignty or jurisdiction, stipulated in Article I of the present Convention, is dependent upon and subject to the

Indien de tolbeambten van oordeel zijn dat de aldus opgegeven waarde onvoldoende is zullen zij de vrijheid hebben de goederen te benaderen ten behoeve der schatkist tegen betaling aan den invoerder van het bedrag der aangegeven waarde met toevoeging van tien per cent. daarboven en teruggave van alle regten welke reeds mogten betaald zijn.

IV. Het Tarief van invoer regten vermeld in Artikel II zal in werking worden gebragt van en af een nader tusschen beide Regeringen te bepalen dag,\* en zal van kracht blijven gedurende een tijdperk van tien jaren; en verder tot ná het einde van twaalf maanden nadat eene der Contracterende Partijen aan de andere kennis zal hebben gegeven van haar verlangen om hetzelve te wijzigen of te doen ophouden.

V. De invoer regten kunnen door de plaatselijke autoriteiten al dan niet gevorderd worden ter harer discretie, of ten gevolge van bevelen hunner respectieve Regeringen ten aanzien van artikelen welke ingevoerd worden voor het gebruik van deze autoriteiten, of voor persoonlijk gebruik van ambtenaren in werkelijke dienst van het Gouvernement.

VI. De wederzijdsche overdragt van forten, bezittingen en regten van souvereiniteit of jurisdictie, bepaald in Artikel I van deze Conventie, is afhankelijk van en onder-

\* The 1st of January, 1868, has been agreed upon for this purpose.



establishment of the proposed tariff, and shall not take effect until the Government of each country shall have procured the enactment of any laws or regulations necessary in order to establish that tariff for the term and under the conditions hereinbefore described, and shall have actually put the same into operation.

VII. After the transfer alluded to in the foregoing Article shall have been made, a map shall be drawn of the new boundary division according to the terms of Article I. Two copies of the said map, duly attested by the Governments on either side, shall then be appended to this Convention for the purpose of showing the boundary, which shall undergo no alteration, even should any of the villages mentioned at the end of Article I be subsequently abandoned, or the tariff be modified or withdrawn.

VIII. The present Convention, after receiving, so far as may be necessary, the approval of the legislative authority, shall be ratified, and the ratifications shall be exchanged at London within a period of 4 months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

geschikt aan de invoering van het voorgestelde tarief, en zal niet in werking treden voor dat de Regering van ieder land zorg zal hebben gedragen voor de uitvaardiging van zoodanige wetten of verordeningen, welke noodig zijn ter invoering van het tarief voor den termijn en onder de voorwaarden hierboven omschreven, en hetzelfde bepaaldelijk in werking zal hebben gebragt.

VII. Nadat de in het vorig Artikel bedoelde overdragt heeft plaats gehad, wordt eene kaart opgemaakt der nieuwe grensscheiding overeenkomstig de bepalingen van Artikel I. Twee exemplaren der bedoelde kaart, door beiderzijdsche Regeringen behoorlijk gewaarmerkt, zullen daarna bij deze overeenkomst gevoegd worden, ter aanduiding der grensscheiding, die geene verandering ondergaat al mogten naderhand eenige der aan het slot van Artikel I vermelde dorpen verlaten, of het tarief gewijzigd of afgeschaft worden.

VIII. Deze Conventie, ná voor zooveel noodig de goedkeuring der wetgevende magt te hebben bekomen, zal bekrachtigd worden, en de ratificatien zullen te Londen worden uitgewisseld binnen den tijd van vier maanden, of zoo mogelijk, vroeger.

Ter oorkonde waarvan de respectieve Gevolmagtigden dezelve hebben onderteekend en met hunne wapenen bezegeld.

Done at London, the 5th      Gedaan te Londen, den  
day of March, in the year of      5 Maart, in het jaar 1867.  
our Lord, 1867.

(L.S.) CARNARVON.

(L.S.) CARNARVON.

(L.S.) STANLEY.

(L.S.) STANLEY.

(L.S.) BENTINCK.

(L.S.) BENTINCK.

(L.S.) C. J. M. NAGTGLAS.

(L.S.) C. J. M. NAGTGLAS.

*TREATY between Great Britain, Belgium, France, Italy, the Netherlands, Prussia, and Russia, relative to the Grand-Duchy of Luxemburg, (Guarantee of Neutrality of Grand Duchy, &c.) Signed at London, May 11, 1867.\**

[Extract.]

Au nom de la très Sainte et Indivisible Trinité.

SA Majesté le Roi des Pays Bas, Grand Duc de Luxembourg, prenant en considération le changement apporté à la situation du Grand Duché par suite de la dissolution des liens qui l'attachaient à l'ancienne Confédération Germanique, a invité leurs Majestés la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, l'Empereur d'Autriche, le Roi des Belges, l'Empereur des Français, le Roi de Prusse, et l'Empereur de toutes les Russies, à réunir leurs Représentants en Conférence à Londres, afin de s'entendre, avec les Plénipotentiaires de Sa Majesté le Roi Grand Duc, sur les nouveaux arrangements à prendre dans l'intérêt général de la paix.

Et leurs dites Majestés, après avoir accepté cette invitation, ont résolu d'un commun accord de répondre au désir que Sa Majesté le Roi d'Italie a manifesté de prendre part à une délibération destinée à offrir un nouveau gage de sûreté au maintien du repos général.

En conséquence, leurs Majestés, de concert avec Sa Majesté le Roi d'Italie, voulant conclure dans ce but un Traité, ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le très Honorable Edward Stanley, Lord Stanley, Conseiller de Sa Majesté Britannique en Son Conseil Privé, Membre du Parlement, son Principal Secrétaire d'Etat pour les Affaires Etrangères ;

[Here follow the names, &c.]

ART. I. Sa Majesté le Roi des Pays Bas, Grand Duc de Luxembourg, maintient les liens qui attachent le dit Grand Duché à la Maison d'Orange-Nassau, en vertu des Traités qui ont placé cet Etat sous la souveraineté de Sa Majesté le Roi Grand Duc, ses descendants et successeurs.

Les droits que possèdent les Agnats de la Maison de Nassau

\* Ratifications exchanged at London, May 31, 1867.

sur la succession du Grand Duché, en vertu des mêmes Traités, sont maintenus.

Les Hautes Parties Contractantes acceptent la présente déclaration et en prennent Acte.

II. Le Grand Duché de Luxembourg, dans les limites déterminées par l'Acte annexé aux Traités du 19 Avril, 1839,\* sous la garantie des Cours de la Grande Bretagne, d'Autriche, de France, de Prusse, et de Russie, formera désormais un Etat perpétuellement neutre.

Il sera tenu d'observer cette même neutralité envers tous les autres Etats.

Les Hautes Parties Contractantes s'engagent à respecter le principe de neutralité stipulé par le présent Article.

Ce principe est et demeure placé sous la sanction de la garantie collective des Puissances signataires du présent Traité, à l'exception de la Belgique, qui est elle-même un Etat neutre.

III. (Luxemburg no longer to be a Federal Fortress.)†

IV. (Evacuation of the Fortress by Prussia.)†

V. (Demolition of the Fortress.)†

VI. Les Puissances signataires du présent Traité constatent que la dissolution de la Confédération Germanique ayant également amené la dissolution des liens qui unissaient le Duché de Limbourg collectivement avec le Grand Duché de Luxembourg à la dite Confédération, il en résulte que les rapports, dont il est fait mention aux Articles III, IV, et V du Traité du 19 Avril, 1839, entre le Grand Duché et certains territoires appartenant au Duché de Limbourg, ont cessé d'exister, les dits territoires continuant à faire partie intégrante du Royaume des Pays Bas.

VII. Le présent Traité sera ratifié, et les ratifications en seront échangées à Londres dans l'espace de 4 semaines, ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé, et y ont apposé le sceau de leurs armes.

Fait à Londres, le 11 Mai, l'an de grace 1867.

(L.S.) STANLEY.

(L.S.) APPONYI.

(L.S.) VAN DE WEYER.

(L.S.) LA TOUR D'AUVERGNE.

(L.S.) D'AZEGLIO.

(L.S.) BENTINCK.

(L.S.) TORNACO.

(L.S.) E. SERVAIS.

(L.S.) BERNSTORFF.

(L.S.) BRUNNOW.

\* See Vol. 5. Page 356.

† See State Papers. Vol. 57. Page 32.

## PERSIA.

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*CONVENTION between Great Britain and Persia, for extending and securing Telegraphic communication between Europe and India. Signed, in the English and Persian Languages, at Tehran, April 2, 1868.\**

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HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of all the Kingdoms of Persia, being desirous to extend and secure the means of telegraphic communication between Europe and India, have resolved to conclude a Convention for that purpose, and have named as their Plenipotentiaries (that is to say):

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Charles Alison, Esquire, Companion of Her Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia;

And His Majesty the King of all the Kingdoms of Persia, his Excellency Meerza Saeed Khan, his Minister for Foreign Affairs, possessor of the Order of the Royal Portrait adorned with diamonds, and of the blue cordon, and bearer of the pearled tassel and rod adorned with diamonds, possessor of the Order of First Serteep with its special cordons, and bearer of the Order of St. Ann of the First Class adorned with diamonds, and of the Order of the Mejediah of the First Class, and of the First Order of the Iron Crown, and the First Order of Leopold, and the First Order of Danebrog, and the First Order of St. Maurice and Lazare, and the First Order of the Saviour of Greece, and the Order of the Polar Star of Sweden, and the Second Order of the Legion of Honour, and the First Order of the Osmaniah, and the First Order of the White Eagle with the blue cordon;

And the aforesaid distinguished Representatives, after meeting in the capital of Tehran, and perusing and exchanging their letters of full power, and finding them in due order, have concluded the following Articles:

ART. I. In order to provide against any possible accident to the Persian Gulf cable, it is agreed between the High Contracting Governments of England and Persia, that the British Government shall make arrangements with regard to the construction and efficient working of a line of telegraph between Guadur and a point between Jask and Bender Abbas.

II. The Persian Government will employ, as far as possible, their good offices and authority for facilitating its construction.

\* Ratifications exchanged at Tehran, August 25, 1868.



maintenance, and protection; and the English Government will pay annually to the Persian Government the sum of 3,000 tomans for leave to lay down the line of telegraph on those coasts and places which are under the sovereignty of Persia, the payment of the above sum being made from the day on which the work of laying the wires is commenced.

III. The present Convention shall remain in force for 20 years.

IV. The present Convention shall be ratified, and the ratifications exchanged at Tehran within 5 months, or sooner if practicable.

Done at Tehran on the 2nd day of April, A.D. 1868.

(L.S.) C. ALISON.

(L.S.) MEERZA SAEED KHAN.

## RUSSIA.

*ACT of the British Parliament, for removing doubts as to the validity of certain Marriages between British Subjects at Odessa.*

[March 29, 1867.]

[30 Vict. cap. 2.]

WHEREAS by an Act of the Session of the 12th and 13th years of the reign of her present Majesty, chapter 68,\* and intituled "An Act for facilitating the Marriage of British Subjects resident in Foreign Countries," provision is made for solemnizing in foreign countries, or places where there may be a British Consul duly authorized in that behalf, marriages between persons both or one of whom are or is British subjects or a British subject:

And whereas certain marriages have been solemnized at Odessa in the Empire of Russia by or in the presence of Eustace C. Grenville Murray, Esq., Consul General, between persons being both or one of them subjects or a subject of this realm:

And whereas doubts are entertained as to the validity of certain of the said marriages by reason of a non-compliance by the parties thereto with the provisions of the said Act as to residence:

And whereas such non-compliance has arisen by reason of the inadvertence of the Consul to the provisions of the said Act, and not in consequence of any wilful neglect or default on the part of the parties to the said marriages:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

\* See Vol. 8. Page 410.

1. All marriages solemnized at Odessa previously to the passing of this Act by or in the presence of the said Eustace C. Grenville Murray (both or one of the parties to such marriages being subjects or a subject of this realm) shall, notwithstanding any non-compliance with the provisions of the said Act of the session of the 12th and 13th years of Her present Majesty, chapter 68, be held to be as valid as if all the provisions of the said Act had been duly complied with.

2. Where in the copy of the entry of any marriage certified as required by the said Act, such marriage purports to have been solemnized by or in the presence of the said Eustace C. Grenville Murray, the production of such copy, or of any certified copy thereof, shall be evidence of such marriage having been solemnized by or in the presence of the said Eustace C. Grenville Murray.

3. This Act may be cited for all purposes as "The Odessa Marriage Act, 1867."

## SPAIN.

*AGREEMENT between the British and Spanish Governments to refer to a Mixed Commission the claim of the owners of the British Ship Mermaid to compensation for the Loss of that Vessel, alleged to have been sunk by a Shot fired from the Spanish Battery of Ceuta. Signed in the English and Spanish Languages at Madrid, March 4, 1868.*

THE undersigned, Sir John Fiennes Crampton, Baronet, Knight Commander of the Most Honourable Order of the Bath, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Madrid; and Don Lorenzo Arrazola, Knight Grand Cross of the Royal and Distinguished Order of Charles III, Her Catholic Majesty's Minister, and Secretary of State for Foreign Affairs; being duly authorized on the part of their respective Governments, have agreed as follows:—

ART. I. The Government of Her Britannic Majesty and the Government of Her Catholic Majesty agree to refer to the decision of a Mixed Commission the claim of Her Britannic Majesty's Government on behalf of the owners of the British schooner *Mermaid*, of Dartmouth, for compensation for the loss of that vessel, alleged by the owners to have been sunk by a shot fired from the batteries of Ceuta on the 16th of October, 1864.

II. The Commission shall be composed of 4 individuals;

two to be named by Her Britannic Majesty's Government, and two to be named by the Government of Her Catholic Majesty: the persons to be chosen to belong to the Diplomatic and Naval Services, as already agreed between the two Governments.

The Commissioners shall meet as early as may be practicable, either at Cadiz or at Ceuta, and before entering upon the execution of their duties shall make and subscribe a solemn declaration that they will carefully examine and impartially decide the question submitted to them; and such declaration shall be entered upon the record of their proceedings.

At the first meeting of the Commissioners, and before they proceed to transact any other business, they shall name some fifth person to act, in case of necessity, as an arbitrator or umpire with regard to any point or points on which the Commissioners may differ in opinion.

If, however, the Commissioners should not be able to agree upon any such fifth person, the British and Spanish Commissioners shall each name a person, and in case the Commissioners should differ in opinion with regard to any point, it shall then be determined by lot which of the two persons so named shall be the arbitrator or umpire for the decision of that particular point; and so on with regard to any other point or points on which the Commissioners may differ in opinion.

The person so to be chosen shall make and subscribe a solemn declaration in a form similar to that made by the Commissioners, and it shall be entered on the record of the proceedings.

In the event of the death, resignation, absence, or incapacity of such Commissioners or umpire, or of his or their omitting, declining, or ceasing to act, a new person or persons shall be appointed in the same manner as the person or persons originally appointed.

III. The Commissioners shall then forthwith proceed to the investigation of the claim of the owners of the British schooner *Mermaid*.

They shall be bound to receive and peruse all written documents or statements which may be presented to them by or on the part of the owners, or by or on behalf of the Spanish Government, and to receive and consider any evidence that may be tendered to them in support of or against the claim, and also to hear, if required, one person as counsel or agent on either side.

If they should fail to agree either as to the validity of the claim, or as to the amount of compensation to be awarded, they shall call to their assistance the arbitrator or umpire; and such arbitrator or umpire, after having examined the evidence adduced for or against the claim, and having heard, if required, one person on each side as aforesaid, and consulted with the

Commissioners, shall decide thereupon finally and without appeal.

The decision of the Commissioners, or of the arbitrator or umpire, shall be given in writing, and shall be signed by him or them respectively.

The two Governments solemnly and sincerely engage to consider the decision of the Commissioners conjointly, or of the arbitrator or umpire, as the case may be, as final and conclusive on the question referred, and to give full effect thereto without objection or delay.

The decision shall, if possible, be given within 3 months from the first meeting of the Commissioners.

IV. Should the decision be favourable to the claimants, and should it be necessary to pay any sum of money, such sum shall be made good by the Spanish Government within the term of 90 days, reckoned from the date of the decision.

V. The Commissioners and the arbitrator or umpire shall keep an accurate record of their proceedings, with the date thereof, and shall appoint and employ a clerk to assist them in the transaction of their business.

Any salary or gratuity paid to the Commissioners shall be defrayed by their respective governments. Any salary or gratuity paid to the arbitrator or umpire, and to the clerk, and any contingent expenses, shall be defrayed in moieties by the respective Governments.

In witness whereof the respective parties have signed the present agreement, and affixed their seals thereto.

Done in duplicate in Madrid, the 4th day of March, 1868.

(L.S.) JOHN F. CRAMPTON.

(L.S.) LORENZO ARRAZOLA.

## TURKEY.

CONVENTION *between Great Britain, Austria, France, Italy, Prussia, in the name of the North German Confederation, and Turkey, for the Guarantee of a Loan to complete the Works at the Sulina Mouth and Branches of the Danube.\* Signed at Galatz, April 30, 1868.*

SA Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, Sa Majesté l'Empereur d'Autriche, Roi de Hongrie et de Bohême, Sa Majesté l'Empereur des Français, Sa Majesté le Roi d'Italie, Sa Majesté le Roi de Prusse, au nom de

\* British Ratification deposited in the Archives of the European Commission of the Danube at Galatz, June 1, 1868.



la Confédération de l'Allemagne du Nord, et Sa Majesté l'Empereur des Ottomans, ayant reconnu la nécessité de mettre la Commission Européenne du Danube, en mesure de contracter un emprunt à des conditions avantageuses, et par ce moyen d'achever les travaux d'amélioration entrepris ou à entreprendre à l'embouchure et dans le bras de Soulina, sans imposer des charges trop lourdes aux bâtimens de toutes les nations qui fréquentent le Bas Danube ;

Et prenant en considération :

Les Articles XVI à XVIII du Traité conclu à Paris le 30 Mars, 1856,\* portant qu'une Commission Européenne sera chargée de désigner et de faire exécuter les travaux nécessaires pour mettre le Bas Danube, en aval de Isaktcha, ses embouchures, et les parties de la mer y avoisinantes, dans les meilleures conditions possibles de navigabilité ; le dit Traité stipulant, en outre, que des droits fixes, arrêtés par la Commission, pourront être perçus pour couvrir les frais de ces travaux, ainsi que des établissemens ayant pour objet d'assurer et de faciliter la navigation aux embouchures du Danube ;

L'Akte Public relatif à la navigation des dites embouchures, signé à Galatz, le 2 Novembre, 1865,† sanctionné dans la séance de la Conférence de Paris, en date du 28 Mars, 1866 ;‡

Les délibérations prises par la Commission Européenne, le dit jour 2 Novembre, 1865, le 16 Octobre, 1866, et le 25 Avril, 1867, portant que de nouveaux travaux seraient entrepris pour compléter et rendre permanentes les améliorations provisoires déjà réalisées à l'embouchure et dans le bras de Soulina, et que les frais de ces travaux seraient couverts au moyen d'un emprunt à contracter par la Commission, et remboursable sur le produit des droits fixes arrêtés et perçus par elle ;

Les résolutions adoptées par la Conférence de Paris, dans ses séances du 28 Mars et du 24 Avril, 1866, touchant le délai dans lequel les nouveaux travaux devront être terminés ;

Les déclarations faites par le Délégué de Sa Majesté Impériale le Sultan dans la séance de la Commission Européenne du 9 Mai, 1866, et dans celle du 16 Octobre suivant, desquelles il résulte que dans le but de faciliter à la dite Commission la conclusion de son emprunt, la Sublime Porte renonce à réclamer le remboursement des avances qu'elle a faites, elles-mêmes, pour couvrir les premières dépenses des susdits travaux, et ce jusqu'au moment où le nouvel emprunt à contracter pour en terminer l'achèvement aura été entièrement amorti ;

Le mémorandum, en date du 15 Octobre, 1866, soumis aux Puissances signataires du Traité de Paris, constatant que les négociations ouvertes en vue du dit emprunt sont demeurées infructueuses, faute de garanties suffisantes à offrir aux capitalistes, et qu'il sera impossible à la Commission de trouver les

\* See Vol. 10. Page 533.

† See Page 884.

‡ See Page 919.

ressources nécessaires à l'achèvement de sa tâche, sans un appui efficace de la part de ses Hauts Commettants ;

Et les dispositions de l'Acte Public du 2 Novembre, 1865, sus-énoncé, et spécialement celles des Articles XIV, XV, et XVI, relatives à la perception et à l'emploi des taxes de Soulina, et celle de l'Article XXI, qui assure le bénéfice de la neutralité aux ouvrages et établissements de toute nature créés par la Commission Européenne, notamment à la Caisse de Navigation de Soulina ;

Ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Sieur John Stokes, Lieutenant-Colonel au Corps Royal des Ingénieurs, son Vice-Consul pour le Delta du Danube, son Délégué dans la dite Commission Européenne du Danube, Chevalier de l'Ordre Impérial du Medjidié de quatrième classe, &c. ;

Sa Majesté l'Empereur d'Autriche, Roi de Hongrie et de Bohême, &c., le Sieur Alfred Chevalier de Kremer, son Conseiller de Section, et Consul pour le Littoral du Bas Danube, son Délégué dans la dite Commission Européenne ;

Sa Majesté l'Empereur des Français, le Sieur Louis Marie Adolphe Baron d'Avril, son Agent et Consul-Général à Bucarest, son Délégué dans la dite Commission Européenne, Officier de l'Ordre Impérial de la Légion d'Honneur, &c. ;

Sa Majesté le Roi d'Italie, le Sieur Etienne Castelli, son Consul à Galatz, Chevalier de l'Ordre des Saints Maurice et Lazare ;

Sa Majesté le Roi de Prusse, au nom de la Confédération de l'Allemagne du Nord, le Sieur Henri Ernest Werner, Comte de Keyserling-Rautenburg, son Agent et Consul-Général en Roumanie, son Délégué dans la dite Commission Européenne, Chevalier de son Ordre de l'Aigle Rouge de quatrième classe, Chevalier de Saint Jean de Jérusalem, &c. ;

Et Sa Majesté l'Empereur des Ottomans, Suleyman Behidj Pacha, Beylerbey de Roumélie, son Gouverneur pour la Province de Toultscha, son Délégué dans la dite Commission Européenne du Danube, décoré de l'Ordre Impérial du Medjidié de troisième classe ;

Lesquels, après avoir échangé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :

ART. I. Leurs Majestés :

L'Empereur d'Autriche, Roi de Hongrie et de Bohême, s'engage, sauf l'assentiment des Corps Représentatifs compétents, à garantir les intérêts et l'amortissement d'un emprunt 3,375,000 francs, ou 135,000 livres sterling, à contracter par la Commission Européenne du Danube ;

L'Empereur des Français s'engage, sous la ratification du

Corps Législatif de France, à garantir les intérêts et l'amortissement du même emprunt ;

La Reine du Royaume Uni de la Grande Bretagne et d'Irlande s'engage à recommander à son Parlement de l'autoriser à garantir les intérêts et l'amortissement du même emprunt ;

Le Roi d'Italie s'engage, sauf l'approbation du Parlement Italien, à garantir les intérêts et l'amortissement du même emprunt ;

Le Roi de Prusse s'engage, au nom de la Confédération de l'Allemagne du Nord, sauf l'assentiment du Reichstag et du Conseil Fédéral, à garantir les intérêts et l'amortissement du même emprunt ;

L'Empereur des Ottomans s'engage à garantir les intérêts et l'amortissement du même emprunt ;

Et il est entendu que cette garantie sera conjointe et solidaire entre toutes les Hautes Parties Contractantes.

II. L'intérêt payable sur le dit emprunt ne sera pas supérieur à 5 pour cent, et la durée de l'amortissement n'excédera pas une période de 13 ans, à partir du 1 Janvier, 1871, époque à laquelle le versement de l'emprunt aura été complété par les prêteurs.

A partir du premier versement, et jusqu'au 1 Janvier, 1871, la garantie conjointe et solidaire portera sur les intérêts des sommes versées, et pendant les années suivantes sur les annuités comprenant à la fois l'intérêt et l'amortissement du capital, n'excédant pas la somme totale de 360,000 francs, ou 14,400 livres sterling, par an.

III. S'il arrivait que le produit net des taxes perçues par la Commission Européenne à l'embouchure de Soulina, en vertu de l'Article XVI du Traité de Paris, déduction faite d'une somme n'excédant pas 400,000 francs, ou 16,000 livres sterling, pour les frais d'entretien des travaux et d'administration, fût insuffisant pour pourvoir complètement au service des intérêts et du fonds d'amortissement de l'emprunt, Sa Majesté Impériale et Royale Apostolique, Sa Majesté l'Empereur des Français, Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, Sa Majesté le Roi d'Italie, Sa Majesté le Roi de Prusse au nom de la Confédération de l'Allemagne du Nord, et Sa Majesté l'Empereur des Ottomans, sur l'avis de la quotité du déficit, qui leur sera donné un mois avant l'échéance, soit par la Commission Européenne ou par l'autorité qui lui succédera, soit par les intéressés eux-mêmes, s'engagent à fournir, à titre d'avance, avant l'expiration de ce délai, leur part afférente dans la dite garantie.

IV. Dans le cas prévu par l'Article précédent, et pour éviter tout retard, le Gouvernement Britannique s'engage à déposer à la Banque d'Angleterre toute la somme nécessaire pour le paiement intégral des intérêts et de l'amortissement à l'époque précise de l'échéance.

De leur côté, les autres Puissances Contractantes s'engagent à faire remettre immédiatement leur dite part afférente au Gouvernement Britannique.

V. L'Article 14 de l'Acte Public du 2 Novembre, 1865, ayant stipulé que le revenu produit par les susdites taxes serait affecté, par priorité et préférence, au remboursement des emprunts contractés par la Commission Européenne et de ceux qu'elle pourrait contracter à l'avenir pour l'achèvement des travaux d'amélioration des embouchures du Danube, les Hautes Parties Contractantes se réservent d'user pour elles-mêmes du bénéfice de ce droit de priorité et de préférence, à titre de subrogation, dans le cas où elles auraient dû pourvoir, de leurs propres deniers, au service de l'emprunt garanti.

Il est entendu cependant que ce droit de priorité sera exercé par les Puissances sans préjudice ni aux droits des porteurs des titres de cet emprunt, ni aux droits antérieurs des créanciers, au profit desquels la Commission Européenne a engagé ses revenus, pour le montant des emprunts partiels s'élevant à 111,100 ducats émis les 12 Mai, 1866, 25 Avril, et 4 Novembre, 1867, pour commencer les travaux définitifs, et remboursables, à courte échéance, sur le produit de l'emprunt à contracter.

VI. Aussitôt que la présente Convention sera devenu définitive pour 4 au moins des Hautes Parties Contractantes, la garantie conjointe et solidaire sortira son plein et entier effet à l'égard de ces derniers.

VII. La présente Convention sera ratifiée. Chacune des Hautes Puissances Contractantes ratifiera en un seul exemplaire. Les ratifications seront déposées dans le délai de 3 mois, ou plus tôt si faire se peut, dans les archives de la Commission Européenne du Danube, pour être plus tard remises à l'autorité qui lui succèdera.

En foi de quoi les Plénipotentiaires respectifs ont signé la présente Convention, et y ont apposé le sceau de leurs armes.

Fait à Galatz, le 30ème jour du mois d'Avril, de l'an 1868.

(L.S.) J. STOKES.

(L.S.) A. DE KREMER.

(L.S.) A. D'AVRIL.

(L.S.) CASTELLI, STEFANO.

(L.S.) H. CTE. DE KEYSERLING.

(L.S.) SULEYMAN.

PROTOCOL *between Great Britain and Turkey, relative to the Admission of British Subjects in Turkey to the Right of Holding Real Property. Signed at Constantinople, July 28, 1868.*

SA Majesté la Reine du Royaume Uni de la Grande Bretagne



et d'Irlande, et Sa Majesté Impériale le Sultan, désirant constater, par un acte spécial, l'entente intervenue entre Eux sur l'admission des sujets Anglais en Turquie au droit de propriété immobilière, concédé aux étrangers par la Loi promulguée en date du 7 Sefer, 1284,\* ont autorisé :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, son Excellence le Très-Honorable Henry Elliot, son Ambassadeur à Constantinople ;

Et Sa Majesté Impériale le Sultan, son Altesse Fuad Pacha, son Ministre des Affaires Etrangères ;

A signer le Protocole dont la teneur suit :

*Protocole.*

La loi qui accorde aux étrangers le droit de propriété immobilière ne porte aucune atteinte aux immunités consacrées par les Traités, et qui continueront à couvrir la personne et les biens meubles des étrangers devenus propriétaires d'immeubles.

L'exercice de ce droit de propriété devant engager les étrangers à s'établir en plus grand nombre sur le territoire Ottoman, le Gouvernement Impérial croit de son devoir de prévoir et de prévenir les difficultés auxquelles l'application de cette loi pourrait donner lieu dans certaines localités. Tel est l'objet des arrangements qui vont suivre.

La demeure de toute personne habitant le sol Ottoman étant inviolable, et nul ne pouvant y pénétrer sans le consentement du maître, si ce n'est en vertu d'ordres émanés de l'autorité compétente et avec l'assistance du magistrat ou fonctionnaire investi des pouvoirs nécessaires, la demeure du sujet étranger est inviolable au même titre, conformément aux Traités ; et les agents de la force publique ne peuvent y pénétrer sans l'assistance du Consul ou du délégué du Consul dont relève cet étranger.

On entend par demeure la maison d'habitation et ses annexes, c'est-à-dire, les communs, cours, jardins et enclos contigus, à l'exclusion de toutes les autres parties de la propriété.

Dans les localités éloignées de moins de 9 heures de la résidence Consulaire, les agents de la force publique ne pourront pénétrer dans la demeure d'un étranger sans l'assistance du Consul, comme il est dit plus haut. De son côté, le Consul est tenu de prêter son assistance immédiate à l'autorité locale, de telle sorte qu'il ne s'écoule pas plus de 6 heures entre l'instant où il aura été prévenu et l'instant de son départ ou du départ de son délégué, afin que l'action de l'autorité ne puisse jamais être suspendue durant plus de 24 heures.

Dans les localités éloignées de 9 heures ou de plus de 9 heures de marche de la résidence de l'Agent Consulaire, les agents de la force publique pourront, sur la réquisition de

\* See Page 1213.

l'autorité locale et avec l'assistance de 3 Membres du Conseil des Anciens de la commune, pénétrer dans la demeure d'un sujet étranger, sans être assistés de l'Agent Consulaire, mais seulement en cas d'urgence et pour la recherche ou la constatation du crime de meurtre, de tentative de meurtre, d'incendie, de vol à main armée ou avec effraction, ou de nuit, dans une maison habitée, de rébellion armée et de fabrication de fausse monnaie; et ce, soit que le crime ait été commis par un sujet étranger ou par un sujet Ottoman, et soit qu'il ait eu lieu dans l'habitation de l'étranger, ou en dehors de cette habitation et dans quelque autre lieu que ce soit.

Ces dispositions ne sont applicables qu'aux parties de la propriété qui constituent la demeure telle qu'elle a été définie plus haut. En dehors de la demeure, l'action de la police s'exercera librement et sans réserve; mais dans le cas où un individu prévenu de crime ou de délit serait arrêté et que ce prévenu serait un sujet étranger, les immunités attachées à sa personne devraient être observées à son égard.

Le fonctionnaire ou officier chargé de l'accomplissement de la visite domiciliaire, dans les circonstances exceptionnelles déterminées plus haut, et les Membres du Conseil des Anciens qui l'assisteront, seront tenus de dresser procès-verbal de la visite domiciliaire et de le communiquer immédiatement à l'autorité supérieure dont ils relèvent, qui le transmettra elle-même et sans retard à l'Agent Consulaire le plus rapproché.

Un règlement spécial sera promulgué par la Sublime Porte pour déterminer le mode d'action de la police locale dans les différents cas prévus plus haut.

Dans les localités distantes de plus de 9 heures de la résidence de l'Agent Consulaire et dans lesquelles la loi sur l'organisation judiciaire du vilayet sera en vigueur, les sujets étrangers seront jugés, sans l'assistance du Délégué Consulaire, par le Conseil des Anciens remplissant les fonctions de Juge de Paix, et par le Tribunal du Caza, tant pour les contestations n'excédant pas 1,000 piastres que pour les contraventions n'entraînant que la condamnation à une amende de 500 piastres au maximum.

Les sujets étrangers auront dans tous les cas le droit d'interjeter appel par devant le Tribunal du Sandjak des sentences rendues comme il est dit ci-dessus; et l'appel sera suivi et jugé avec l'assistance du Consul, conformément aux Traités.

L'appel suspendra toujours l'exécution.

Dans tous les cas l'exécution forcée des sentences rendues dans les conditions déterminées plus haut ne pourra avoir lieu sans le concours du Consul ou de son délégué.

Le Gouvernement Impérial édictera une loi qui déterminera les règles de procédure à observer par les parties dans l'application des dispositions qui précèdent.

Les sujets étrangers, en quelque localité que ce soit, sont autorisés à se rendre spontanément justiciables du Conseil des Anciens ou des Tribunaux des Cazas, sans l'assistance du Consul, dans les contestations dont l'objet n'excède pas la compétence de ces Conseils ou Tribunaux, sauf le droit d'appel par devant le Tribunal du Sandjak, où la cause sera appelée et jugée avec l'assistance du Consul ou de son délégué.

Toutefois, le consentement du sujet étranger à se faire juger comme il est dit plus haut sans l'assistance du Consul, devra être donné par écrit et préalablement à toute procédure.

Il est bien entendu que toutes ces restrictions ne concernent point les procès qui ont pour objet une question de propriété immobilière, lesquels seront poursuivis et jugés dans les conditions établies par la loi.

Le droit de défense et la publicité des audiences sont assurés en toute matière aux étrangers qui comparaitront devant les Tribunaux Ottomans, aussi bien qu'aux sujets Ottomans.

Les arrangements qui précèdent resteront en vigueur jusqu'à la révision des anciens Traités, révision sur laquelle la Sublime Porte se réserve de provoquer ultérieurement une entente entre elle et les Puissances amies.

En foi de quoi les Plénipotentiaires respectifs ont signé le présent Protocole et y ont apposé le sceau de leurs armes.

Fait à Constantinople, le 28<sup>me</sup> jour du mois de Juillet, de l'année 1868.

(L.S.) HENRY ELLIOT.

(L.S.) FUAD.

*LOI concédant aux Etrangers le Droit de Propriété Immobilière dans l'Empire Ottoman. Le 18 Juin, 1867.*

#### RESCRIT IMPERIAL.

“ Qu'il soit fait en conformité du contenu.”

*Le 7, Sépher, 1284.*

Dans le but de développer la prospérité du pays, de mettre fin aux difficultés, aux abus et incertitudes qui se produisent au sujet de l'exercice du droit de propriété par les étrangers dans l'Empire Ottoman, et de compléter, au moyen d'une réglementation précise, les garanties dues aux intérêts financiers et à l'action administrative, les dispositions législatives suivantes ont été arrêtées sur l'ordre de Sa Majesté Impériale le Sultan.

ART. I. Les étrangers sont admis, au même titre que les sujets Ottomans, sans autres conditions, à jouir du droit de propriété des immeubles urbains ou ruraux dans toute l'étendue de l'Empire, à l'exception de la province de l'Hédjaz, en se soumettant aux lois et règlements qui régissent les sujets Ottomans eux-mêmes, comme il est dit ci-après.

Cette disposition ne concerne point les sujets Ottomans de

naissance qui ont changé de nationalité, lesquels seront régis en cette matière par une loi spéciale.

II. Les étrangers, propriétaires d'immeubles urbains ou ruraux, sont en conséquence assimilés aux sujets Ottomans en tout ce qui concerne leurs biens immeubles.

Cette assimilation a pour effet légal :

1. De les obliger à se conformer à toutes les lois et à tous les règlements de police ou municipaux qui régissent dans le présent et pourront régir dans l'avenir la jouissance, la transmission, l'aliénation, et l'hypothèque des propriétés foncières.

2. D'acquitter toutes les charges et contributions, sous quelque forme et sous quelque dénomination que ce soit, frappant ou pouvant frapper par la suite les immeubles urbains ou ruraux.

3. De les rendre directement justiciables des tribunaux civils Ottomans, pour toutes les questions relatives à la propriété foncière, et pour toutes actions réelles, tant comme demandeurs que comme défendeurs, même lorsque l'une et l'autre partie sont sujets étrangers; le tout au même titre, dans les mêmes conditions, et dans les mêmes formes que les propriétaires Ottomans, et sans qu'ils puissent en cette matière se prevaloir de leur nationalité personnelle; mais sous la réserve des immunités attachées à leur personne et à leurs biens meubles, aux termes des Traités.

III. En cas de faillite d'un étranger propriétaire d'immeubles, les syndics de sa faillite se pourvoiront devant l'autorité et les tribunaux civils Ottomans pour requérir la vente des immeubles possédés par le failli et qui, par leur nature et suivant la loi, répondent des dettes du propriétaire.

Il en sera de même lorsqu'un étranger aura obtenu contre un autre étranger propriétaire d'immeubles un jugement de condamnation devant les tribunaux étrangers.

Pour l'exécution de ce jugement sur les biens immeubles de son débiteur, il s'adressera à l'autorité Ottomane compétente afin d'obtenir la vente de ceux de ces immeubles qui répondent des dettes du propriétaire; et ce jugement ne sera exécuté par les autorités et tribunaux Ottomans qu'après qu'ils auront constaté que les immeubles dont on requiert la vente appartiennent réellement à la catégorie de ceux qui peuvent être vendus pour payer la dette.

IV. Le sujet étranger a la faculté de disposer par donation ou par testament de ceux de ses biens immeubles dont la disposition sous cette forme est permise par la loi.

Quant aux immeubles dont il n'aura pas disposé ou dont la loi ne lui permet pas de disposer par donation ou testament, la succession en sera réglée conformément à la loi Ottomane.

V. Tout sujet étranger jouira du bénéfice de la présente loi, dès que la Puissance de laquelle il relève aura adhéré aux



arrangements proposés par la Sublime Porte pour l'exercice du droit de propriété.

Constantinople, le 18 Juin, 1867.

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*ACT of the British Parliament, to enable Her Majesty the Queen to carry into effect a Convention made between Her Majesty and other Powers, relative to a Loan for the Completion of Works for the Improvement of the Navigation of the Danube.*

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[31 & 32 Vict., cap. 126.]

[31st July, 1868.]

WHEREAS Her Majesty the Queen and their Majesties the Emperor of Austria, the Emperor of the French, the King of Italy, the King of Prussia, in the name of the North German Confederation, and the Emperor of the Ottomans, having recognized the necessity of putting the European Commission of the Danube appointed under the Treaty of Paris of the 30th day of March, 1856,\* in a position to contract a loan on advantageous terms, and by this means to complete the works of improvement undertaken, or to be undertaken, at the mouth and in the branch of the Sulina, without imposing too heavy burdens on the vessels of all nations which frequent the Lower Danube, have entered into a Convention in that behalf, which was made and signed at Galatz on the 30th day of April, 1868, and has been duly ratified by Her Majesty.

And whereas the said Convention comprised Articles to the following effect, namely :

[Here follows the Convention. See Page 1206.]

And whereas it is expedient that Her Majesty be enabled to carry into effect the Articles aforesaid.

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

I. It shall be lawful for her Majesty, her heirs and successors, to guarantee, jointly with their Majesties the Emperor of Austria, the Emperor of the French, the King of Italy, the King of Prussia, in the name of the North German Confederation, and the Emperor of the Ottomans, or any 3 or more of those Powers, and severally, on the terms and conditions set forth in the said Convention, interest at a rate not exceeding 5 per centum per annum on a loan not exceeding 135,000*l.* sterling, to be contracted by the European Commission of the

\* See Vol. 10. Page 533.

Danube, in pursuance of the said Convention, and the sinking fund of the same loan as provided for in the said Convention.

II. The Commissioners of Her Majesty's Treasury may from time to time cause to be issued out of the consolidated fund of the United Kingdom or the growing produce thereof any money for the time being requisite for giving effect to the guarantee authorized by this Act.

III. The Commissioners of Her Majesty's Treasury shall cause any money at any time paid in or towards repayment of money issued under this Act to be carried to, and the same shall form part of, the Consolidated Fund of the United Kingdom.

IV. The Commissioners of Her Majesty's Treasury shall lay before both Houses of Parliament yearly, on the 1st day of February in each year, or within 14 days after the meeting of Parliament, an account up to the 31st day of December then next preceding of the issues and repayments (if any) under this Act.

V. This Act may be cited as the Danube Works Loan Act, 1868.

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## GREAT BRITAIN.

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BRITISH TREASURY WARRANT, *relative to the Rates of Postage chargeable on Re-directed Letters, Packets, or Printed Papers.* April 1, 1864.

[See "London Gazette" of April 8, 1864.]

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Books, &c., transmitted between Egypt and the East Indies, Ceylon, Mauritius, Labuan, China, Hong Kong, Australia, Tasmania, and New Zealand.* May 2, 1864.

[See "London Gazette" of May 6, 1864.]

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters transmitted to or from the Australian Colonies, Tasmania, or New Zealand, and between those Colonies and any other Colony or Foreign Country, viâ the United Kingdom.* July 16, 1864.

[See "London Gazette" of July 19, 1864.]

BRITISH TREASURY WARRANT, *altering the Scale of Progression for the Rates of Postage on Letters transmitted to or from the West Coast of South America; or between any ports on the West Coast of South America, or in the West Indies (British and Foreign).* July 29, 1864.

[See "London Gazette" of August 2, 1864.]

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from the Mauritius, by British Packet Boat direct, or in closed mails, via France.* September 5, 1864.

[See "London Gazette" of September 16, 1864.]

[Repealed, in part, by Warrant, dated December 29, 1865. Scale of Progression amended April 28, 1866.]

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from the East Indies, Ceylon, or Hong Kong, by British Packet Boat direct, or in closed mails, via France.* September 24, 1864.

[See "London Gazette" of September 27, 1864.]

[Repealed, in part, by Warrant, dated December 29, 1865. Scale of Progression amended April 28, 1866.]

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Packets consisting of Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from the British West Indies and the Colonies of Sierra Leone, Gambia, Lagos, and the Gold Coast.* December 3, 1864.

[See "London Gazette" of December 6, 1864.]

[Partially repealed by Warrant of December 29, 1865.]

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Books, &c., transmitted to or from the Cape of Good Hope, by British Packet Boat direct, or via Suez, or via France.* December 26, 1864.

[See "London Gazette" of December 30, 1864.]

[Amended by Warrant dated April 28, 1866.]

BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Printed Prices Current and on Printed Commercial Lists transmitted to or through the United Kingdom from any Colony or Foreign Country.* December 27, 1864.

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[See "London Gazette" of December 30, 1864.]

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Packets, Patterns, or Samples of Merchandize, of no intrinsic value, transmitted to and from Australia (New South Wales, Tasmania, Western Australia, Victoria, South Australia, and New Zealand, but not Queensland), by British Packet Boat direct, or via Egypt, or in closed mails, via France.* December 29, 1864.

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[See "London Gazette" of January 3, 1865.]

[Partially repealed by Warrant of December 29, 1865.]

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BRITISH TREASURY WARRANT, *regulating the Dimensions of Letters and Packets transmitted by Post within the United Kingdom.* March 17, 1865.

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[See "London Gazette" of March 21, 1865.]

[Amended by Warrant dated May 7, 1866.]

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BRITISH TREASURY WARRANT, *altering the Scale of Progression for the Rate of Postage on Letters transmitted within the United Kingdom.* March 18, 1865.

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[See "London Gazette" of March 21, 1865.]

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Letters of Persons in the Naval Service abroad.* May 4, 1865.

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[See "London Gazette" of May 9, 1865.]

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BRITISH TREASURY WARRANT, *regulating the Scale of Progression for the Rates of Postage on Letters transmitted to or from Gibraltar, Malta, or Egypt; or between Gibraltar, Malta, or Egypt, and any British Colony or Foreign Country, viâ the United Kingdom.* December 18, 1865.

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[See "London Gazette" of December 22, 1865.]

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BRITISH TREASURY WARRANT, *regulating the Dimensions of Letters or Packets transmitted by the Post.* December 27, 1865.

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[See "London Gazette" of January 2, 1866.]  
[Amended by Warrants dated April 28, 1866, and May 7, 1866.]

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BRITISH TREASURY WARRANT, *fixing the Rates of Postage on Patterns or Samples of Merchandize, of no intrinsic value, transmitted to or from the Cape of Good Hope, Natal, St. Helena, or Queensland, viâ France.* December 28, 1865.

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[See "London Gazette" of January 2, 1866.]  
[Amended by Warrant dated April 28, 1866.]

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BRITISH TREASURY WARRANT, *regulating the transmission of Patterns or Samples of Merchandize to or from British Colonies.* December 29, 1865.

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[See "London Gazette" of January 2, 1866.]  
[Amended by Warrant dated April 28, 1866.]

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BRITISH TREASURY WARRANT, *altering the Rates of Postage on Letters transmitted between Australia and Ceylon, fixed by Warrant dated June 1, 1865.* January 24, 1866.

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[See "London Gazette" of January 26, 1866.]

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BRITISH TREASURY WARRANT, *reducing the Rates of Postage on Patterns or Samples, and on Books, &c., transmitted by Post within the United Kingdom.* February 3, 1866.

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[See "London Gazette" of February 13, 1866.]  
[Repealed, as to Patterns, &c., by Warrant dated January 5, 1870.]

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BRITISH TREASURY WARRANT, *relative to the transmission by the Post of Unpaid or Insufficiently prepaid Books, &c.* March 19, 1866.

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[See "London Gazette" of March 23, 1866.]  
[Amended by Warrant dated April 28, 1866.]

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BRITISH TREASURY WARRANT, *altering the Scale of Progression for the Rates of Postage on Books, &c., and on Patterns or Samples transmitted to the British Colonies, or from Malta, or Gibraltar to the United Kingdom.* April 28, 1866.

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[See "London Gazette" of May 1, 1866.]

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BRITISH TREASURY WARRANT, *removing the Restrictions as to the Dimensions of Letters or Packets transmitted by the Post.* May 7, 1866.

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[See "London Gazette" of May 11, 1866.]

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\* Will be given in a subsequent Volume.

† By the Treaties with Greece of 14 November, 1863, and 29 March, 1864, for the Annexation of the Ionian Islands, it was stipulated that Foreign Vessels and Commerce in Ionian Ports, and Ionian Vessels and Commerce in Foreign Ports, should remain on the same footing as before the Union.



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† The Russian possessions on the N.W. Coast of America were ceded to the United States by Treaty, **3<sup>rd</sup> March, 1867.**



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\* By an Additional Article, [28 August](#), 1814, to the Treaty of [5 July](#), 1814, Great Britain was admitted to trade with Spain, pending the negotiation of a new Treaty of Commerce, upon the same conditions as existed before 1796: the Additional Article also ratified and confirmed all Treaties of Commerce which at that period subsisted between the two nations. By British Order in Council of [18 August](#), 1852, the Trade and Shipping of Spain were relieved from Differential Duties: and by the Spanish Royal Order of [7 September](#), 1852, British vessels in the ports of Spain and the adjacent islands were placed on the same footing as Spanish vessels as regards Port and Navigation Dues.

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† Will be given in a subsequent Volume.



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† Laid before Parliament with Order in Council and Correspondence respecting the administration of Justice in the Ottoman Empire, 1863.



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† By an Additional Article, 28 August, 1814, to the Treaty of 5 July, 1814, Great Britain was admitted to trade with Spain, pending the negotiation of a new Treaty of Commerce, upon the same conditions as existed before 1796: the Additional Article also ratified and confirmed all Treaties of Commerce which at that period subsisted between the two nations.



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\* By an Additional Article, 28 August, 1814, to the Treaty of 5 July, 1814, Great Britain was admitted to trade with Spain, pending the negotiation of a new Treaty of Commerce, upon the same conditions as existed before 1796: the Additional Article also ratified and confirmed all Treaties of Commerce which at that period subsisted between the two nations. By the British Order in Council of 18 August, 1852, vol. ix, p. [721](#), the Trade and Shipping of Spain were relieved from differential duties: and by the Spanish Royal Order of 7 September, 1852, vol. ix, p. [722](#), British vessels in the ports of Spain and the adjacent islands were placed on the same footing as Spanish vessels as regards port and navigation dues.



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\* By the Treaties with Greece of November 14, 1863, and March 29, 1864, for the Annexation of the Ionian Islands, it was stipulated that Foreign Vessels and Commerce in Ionian Ports, and Ionian Vessels and Commerce in Foreign Ports, should remain on the same footing as before the Union.



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† Will be given in a subsequent Volume.



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\* By an Additional Article, 28 August, 1814, to the Treaty of 5 July, 1814, Great Britain was admitted to trade with Spain, pending the negotiation of a new Treaty of Commerce, upon the same conditions as existed before 1796: the Additional Article also ratified and confirmed all Treaties of Commerce which at that period subsisted between the two nations. By the British Order in Council of 15 August, 1852, vol. ix, p. 721, the Trade and Shipping of Spain were relieved from Differential Duties; and by the Spanish Royal Order of 1 September, 1852, vol. ix, p. 722, British vessels in the ports of Spain and the adjacent islands were placed on the same footing as Spanish vessels as regards Port and Navigation Dues.



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† Bulama was taken possession of by Portugal, 1 October, 1870.



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\* By an Additional Article, 28 August, 1814, to the Treaty of 5 July, 1814, Great Britain was admitted to trade with Spain, pending the negotiation of a new Treaty of Commerce, upon the same conditions as existed before 1796: the Additional Article also ratified and confirmed all Treaties of Commerce which at that period subsisted between the two nations.



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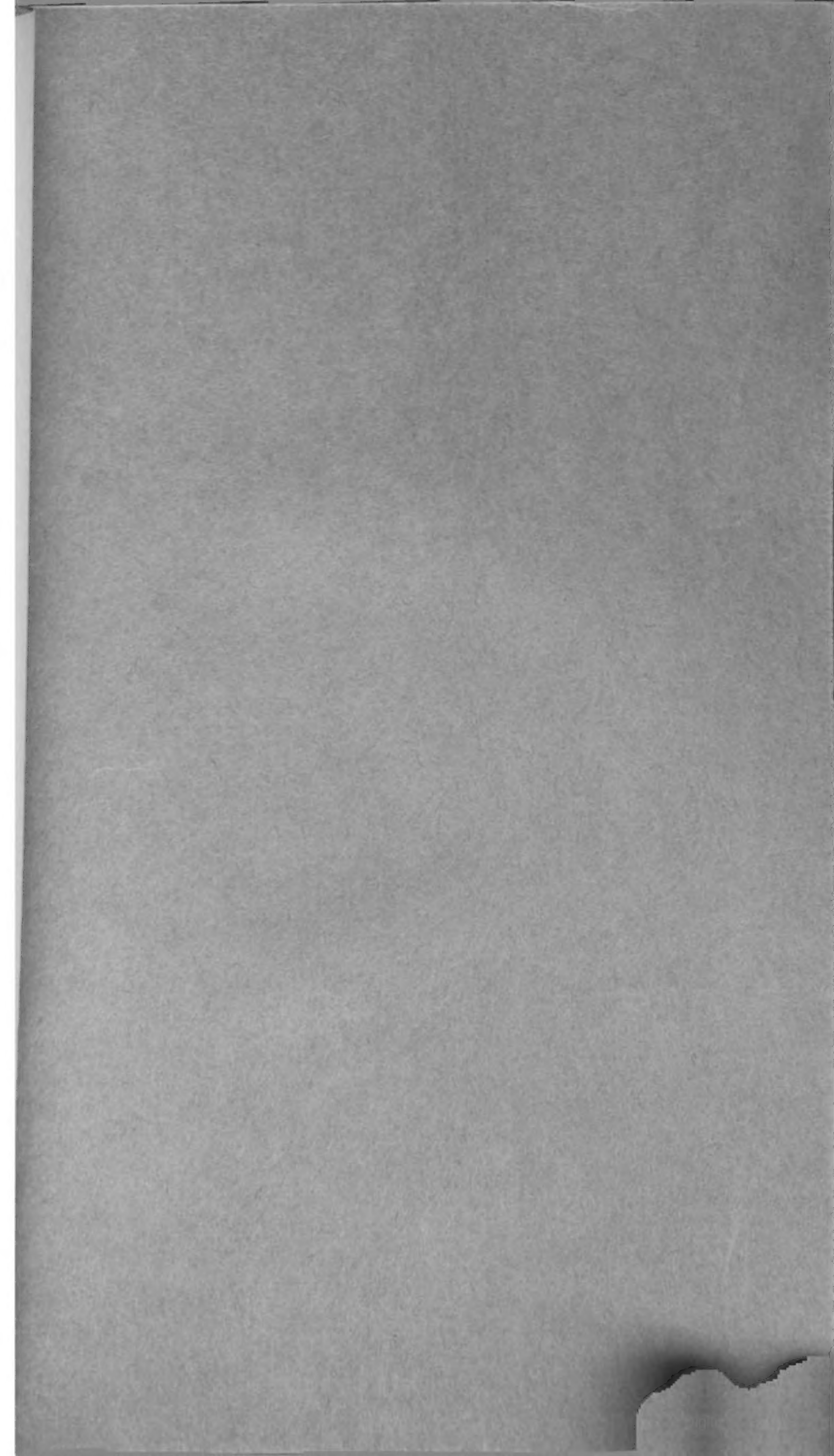
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